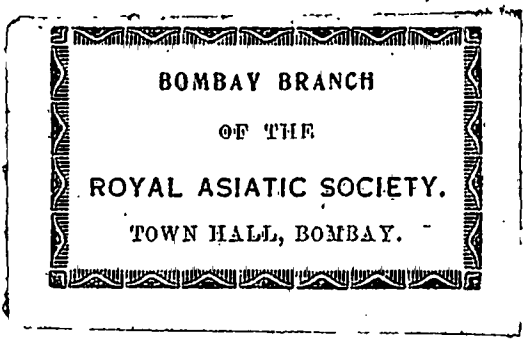
00027050



Digitized with financial assistance from the
Government of Maharashtra
on 04 January, 2016

SPEECHES

OF

THE RIGHT HONOURABLE

CHARLES JAMES FOX.

27050

VOL. VI.

Strahan and Preston,
Printers-Street, London.

THE

SPEECHES

OF

THE RIGHT HONOURABLE

CHARLES JAMES FOX,

IN THE

HOUSE OF COMMONS.

IN SIX VOLUMES.

VOL. VI.

RR.d.1

LONDON:

PRINTED FOR LONGMAN, HURST, REES, ORME, AND BROWN,
PATERNOSTER-ROW;
AND J. RIDGWAY, PICCADILLY.

1815.

Fox
27050

CONTENTS

OF

THE SIXTH VOLUME.

1795.			Page
Nov.	10.	Treason and Sedition Bills	1
	16.	The Same	9
	17.	The Same	16
	23.	The Same	28
	24.	The Same	33
	25.	The Same	35
	27.	The Same	47
	30.	The Same	47
Dec.	3.	The Same	61
	10.	The Same	74
Nov.	23.	Mr. Reeves's Libel on the British Constitution	80
	26.	The Same	85
Dec.	14.	The Same	87
	9.	King's Message respecting a Negociation with the present Government of France	89
	4.	Mr. Whitbread's Bill to regulate the Wages of Labourers in Husbandry	103
1796.			
Feb.	12.	The Same	105
	15.	Mr. Grey's Motion for Peace with France	106
	18.	Abolition of the Slave Trade	116
March	15.	The Same	123
Feb.	26.	Mr. William Smith's Motion respecting the Loan	132
March	4.	Mr. Curwen's Bill for the Repeal of the Game Laws	140
April	29.	The Same	143
March	22.	Duties on Legacies of Personal Estates	145
April	5.	The Same	148
	8.	General Smith's Motion respecting the Expenditure of Public Money in Barracks	149
	11.	Mr. Francis's Motion respecting the better Regulation of Slaves in the West Indies	156

			Page
1796.			
May	5.	Duty on Succession to Real Estates	163
	9.	The Same	164
	6.	Mr. Grey's Charges against Ministers relative to the Expenditure of Public Money	165
	10.	Mr. Fox's Motion on the Conduct of the War with France	178
Oct.	6.	Address on the King's Speech at the Opening of the Session	209
	18.	Invasion — Augmentation of the Militia	219
	31.	The Same	228
Dec.	7.	Budget for 1797 — Terms of the Loan — Advances to the Emperor without the Consent of Parliament	237
	8.	The Same	246
	14.	Mr. Fox's Motion of Censure on Ministers for advancing Money to the Emperor without the Consent of Parliament	252
	30.	Mr. Fox's Amendment to the Address on the King's Message respecting the Rupture of the Negociation for Peace with France	2 3
1797.			
Feb.	27.	Stoppage of Cash Payments at the Bank	2 86
	28.	The Same	2 89
March	13.	Mr. Harrison's Motion for the Reduction of Useless Places, Sinecure Offices, &c.	3 00
	23.	Mr. Fox's Motion on the State of Ireland	3 05
April	10.	Mr. Pollen's Motion for Peace with France	31 9
May	23.	Mr. Fox's Motion for the Repeal of the Treason and Sedition Bills	329
	26.	Mr. Grey's Motion for a Reform in Parliament	339
Dec.	14.	Assessed Taxes Bill	370
1800.			
Feb.	3.	King's Message respecting Overtures of Peace from the Consular Government of France	383
1801.			
March	25.	Mr. Grey's Motion on the State of the Nation	422
		List of the New Administration	422
Nov.	3.	Address on the Preliminaries of Peace with the French Republic	455
1802.			
March	16.	Character of the Duke of Bedford	466
	29.	Arrears of the Civil List	473
1803.			
May	24.	Mr. Grey's Amendment to the Address on the King's Message relative to the War with France	484

			Page
1803.			
May	27.	Mr. Fox's Motion respecting the Mediation of Russia	530
1804.			
Feb.	29.	Volunteer Consolidation Bill	538
March	15.	Naval Administration of Earl St. Vincent	546
April	23.	Mr. Fox's Motion on the Defence of the Country	551
June	18.	Additional Force Bill	569
		List of the New Administration	569
1805.			
Feb.	18.	Property Tax	575
April	8.	Proceedings respecting Lord Melville	577
May	14.	Mr. Fox's Motion for referring the Petition of the Roman Catholics of Ireland to a Committee	586
June	20.	Mr. Grey's Motion on the State of Public Affairs	615
	21.	Continental Alliances	621
1806.			
Jan.	27.	Funeral Honours to the Memory of Mr. Pitt	625
March	3.	List of the New Administration	631
		Lord Ellenborough's Appointment to a Seat in the Cabinet	631
April	23.	King's Message on the War with Prussia	641
May	1.	Slave Importation Bill	648
	15.	Property Tax	649
	30.	Limited Service in the Army	651
June	10.	Abolition of the Slave Trade	658

Nov.

SPEECHES

OF THE

RIGHT HONOURABLE

CHARLES JAMES FOX,

&c. &c.

TREASON AND SEDITION BILLS.

November 10. 1795.

IN consequence of the indignities offered to his majesty in his way to and from the House of Peers on the first day of the session, a proclamation was issued on the 31st of October, offering a thousand pounds for the discovery of any person guilty of those outrages. On the 4th of November it was followed by another, wherein it was said, that previously to the opening of parliament, multitudes had been called together by hand-bills and advertisements, who met in the vicinity of the metropolis, where inflammatory speeches were made, and divers means used to sow discontent and excite seditious proceedings. These meetings and discourses were followed three days after by the most daring insults to the king, by which his person had been imminently endangered. Rumours had also been spread, that assemblies were to be held by disaffected people for illegal purposes. In consequence of those proceedings, it was enjoined by the proclamation to all magistrates, and well affected subjects, to exert themselves in preventing and suppressing all unlawful meetings, and the dissemination of seditious writings. So great had been the alarm and indignation, created by the treatment of the king, that as soon as he had gone through the reading of his speech, and had left the House, it was immediately ordered to be cleared of all strangers, and a consultation was held by the lords, in what manner to proceed upon so extraordinary an occasion. An address to the king was resolved upon, and a conference with the House of Commons to request their concurrence therein. The majority agreed in this measure; but the Marquis of Lansdowne accused the ministers of intending to seize this opportunity to work upon the passions and fears of the people, and to lead their representatives into conces-

sions derogatory to the public liberty, and debasing to their character, in order to confirm their own power at the expence of the constitution. A conference with the Commons was held accordingly in the course of the day, and witnesses were examined in relation to the outrages committed. Their evidence was communicated to the Commons, and both houses unanimously concurred in the addresses proposed.

On the 6th of November, Lord Grenville introduced a bill into the House of Lords, for better securing the king's person and government. The motive he alleged was, the necessity of preventing abuses similar to those that had taken place on the opening of the session. He explicitly attributed them to the licentious language and maxims held forth in the meetings, which had been so long suffered, without due notice on the part of the legislature, but which were now arrived to such a degree of insolence, that they required immediate restriction. He would recur on this occasion, he said, to precedents framed in approved times, the reign of Elizabeth, and the commencement of the reign of Charles II. In order more effectually to obviate so great an evil, he would move the passing of a bill, which he produced, and which was entitled, "An act for the safety and preservation of his majesty's person and government against treasonable and seditious practices and attempts."

On the 9th of November, Mr. Pitt moved in the House of Commons, that the royal proclamations in consequence of the late riot, should be taken into consideration. He grounded his motion on the necessity of preventing such insults being offered to the sovereign, as he had experienced on the opening of the session. He presumed every loyal subject would unite with him on this occasion, and that methods would be taken to obviate those causes from whence the outrages proceeded, which were the factious meetings of disaffected people, wherein seditious discourses were constantly held, and principles maintained utterly subversive of good order and obedience to government. The pretence of these meetings was to petition the legislature for rights withheld from the people; but the real motive was, to promulgate opinions inimical to government, and calculated to bring it into contempt. If the executive power were not invested with sufficient authority to controul these meetings, they would finally endanger the existence of the state. The rights of the people doubtless ought to be respected, but it was equally indispensable to obviate their abuse. The question before the House was, Mr. Pitt said, Whether the pressure of the moment did not require an instant remedy? A precise and acknowledged power was wanting in the magistrate to disperse such meetings as threatened disorders. This power indeed ought not to extend to meetings held for lawful purposes, but only to authorize him to watch over the proceedings of any large assembly, whatever might be the object of those who assembled. To this intent, notice should be given to the magistrate previously to the intended meeting; he should be empowered to be present, and if it appeared of a seditious tendency, to seize the guilty on the spot; to obstruct him should be made

felony; and if the meeting did not disperse at his command, the penalties provided in the riot-act should be inflicted on the refractory. There was, Mr. Pitt added, another species of meeting, consisting of persons who attended public lectures on political subjects; the lecturers were men notoriously disaffected to government, and the doctrines they delivered were calculated to instil the rankest principles of resistance and rebellion to the established powers. In order to obviate this effectually, the act against disorderly houses should be applied to meetings of this kind, whenever they exceeded, by a number to be stated in the act, the real family of the House. Mr. Pitt concluded with moving, "That leave be given to bring in a bill for the more effectually preventing seditious meetings and assemblies." As soon as the Speaker had read the motion,

Mr. Fox said, he trusted it was unnecessary for him to preface what he had to say, by a declaration which he hoped, for every member of that House, was equally unnecessary; that he felt as much horror at the attempt which was made against his majesty as any man in the kingdom; quite as much as any man who might move, who might second, or who might support the bill, which it seemed was to be offered to the House. Having agreed so far with the minister that night, there he must take his leave of him. He did not think he should well express his feelings, if he declared that his indignation at what had happened even on that day, was more than equal to what he felt from what he had heard this night. The right honourable gentleman had adverted to a bill, at that time in the other House, which was stated to have for its object the better security of his majesty's person, and on which, it was probable the House would have some communication with their lordships. He believed it would be difficult for the right honourable gentleman to shew the necessity for that bill, if he meant to ground that necessity upon the assumption that what happened on the first day of the session was in consequence of what passed at meetings to which he had alluded. He disapproved highly of all these experiments, which were professed to be intended as securities for the enjoyment of all the blessings of our constitution. He knew the constitution had existed for ages sufficiently guarded by the law as it now stood, and therefore, if the right honourable gentleman had not opened his plan, which, he declared, struck him with horror; if he had not said a single word upon that detestable plan, he should have given his negative to the proposition in question; because the proposition itself laid it down as an assumed fact, that the law at present is insufficient to prevent breaches of the public peace. It was said, that a seditious meeting had been held somewhere in the neighbourhood of

the metropolis a few days previous to the meeting of parliament; that at such meeting very alarming proceedings had taken place, striking at the very existence of parliament itself. That such proceedings took place he did not know; but, this he knew, if speeches were made that had such a tendency, the speakers were amenable to the law. If hand-bills were distributed that had such a tendency, the distributors were amenable to the law. If any person had so conducted himself as to be the means of causing the people so assembled to form a resolution, having such a tendency, he was amenable to the law, and, when proved guilty, was liable to adequate punishment. But this bill was to proceed upon the flimsy pretext, that all the violence and outrage that had been offered to his majesty was the result of this meeting, of which there was not the colour of proof. He knew, indeed, that the right honourable gentleman had attempted to connect them; he knew, too, there had been, and would be endeavours to confound the two things.

It was, Mr. Fox said, ridiculous to talk of these things being perfectly notorious; that these proceedings were clearly seditious; they were points upon which that House could not regularly proceed, for they were points on which there was no proof. Nothing was more clear than that the House of Commons ought never to proceed upon any measure that might trespass upon the rights of the public, without evidence that was decisive, even in cases of extreme necessity; but there was no evidence whatever to connect any of the proceedings of these meetings with the daring insult offered to his majesty. The right honourable gentleman had said, Should not the House endeavour to prevent the repetition of such an insult? Undoubtedly it should. But then it should be upon evidence; and here the right of persons to meet any where to consult on public measures, was to be affected in consequence of what happened to his majesty on the first day of the session, although there was no evidence to prove that the outrage arose from any proceedings that were had at any public meeting previous to that day. Some persons, perhaps, might consider the proclamation itself as evidence. He could agree to no such rule: he well knew there were those who doubted the truth of the proclamations: who believed many of them to be the acts of ministers for certain purposes of their own; and he was sure it was not regular in that House to take things for granted, merely because they appeared in a proclamation.

These were strong objections to proceeding upon this subject without better evidence. All this, however, was trifling, in comparison with what the right honourable gentleman had

said upon the subject. He had said, that there might be a difficulty to preserve the right of petitioning, and to prevent abuses of that right. Difficulty and delicacy he confessed there were: but that did not embarrass him; for, he said they might be settled in the detail. Thus the right honourable gentleman talked with ease on the rights of the subject, as if he expected to bring the public to submit to the most rigid despotism. In that detail, Mr. Fox said, he would never take a share, for he would never attend the detail of a measure which in its essence was so detestable. The right honourable gentleman had hinted at two points. With regard to the first, that of public meetings for the discussion of public subjects, he must not only confess them to be lawful, but must allow them also to be agreeable to the very essence of the British constitution, and to which, under that constitution, most of the liberties we enjoyed were particularly owing. The right honourable gentleman had said, that these meetings were not to be prevented, they were only to be regulated. "Attend," said Mr. Fox, "to the regulation. I thought I knew the rights of man — aye, and the rights of Englishmen. [Here was a prodigious cry of Hear! hear!] What, said he, that is a slip you suppose. The rights of man is a sentence without a meaning. Do you say that men have no natural rights? If so, Englishmen's rights can have no existence; this House would have no existence. The rights of man, I say, are clear; man has natural rights; and he who denies it is ignorant of the basis of a free government; is ignorant of the best principle of our constitution."

The people, he had always thought, had a right to discuss the topics from which their grievances arose. In all instances, they had a right to complain by petition, and to remonstrate to either House of Parliament, or, if they pleased, to the king exclusively; but now, it seems, they are not to do so, unless notice be given to a magistrate, that he may become a witness of their proceedings. There were to be witnesses of every word that every man spoke. This magistrate, this jealous witness, was to form his opinion on the propriety of the proceedings; and if he should think that any thing that was said had a tendency to sedition, he had power to arrest the man who uttered it. Not only so, he was to have the power of dissolving the meeting at his own will. "Say at once," said Mr. Fox, "that a free constitution is no longer suitable to us; say at once, in a manly manner, that upon an ample review of the state of the world at this moment, a free constitution is not fit for you; conduct yourselves at once as the senators of Denmark did; lay down your freedom, and acknowledge and accept of despotism. But do not mock the

understandings and the feelings of mankind, by telling the world that you are free — by telling me that, if out of the house, for the purpose of expressing my sense of the public administration of this country, of the calamities which this war has occasioned, I state a grievance by petition, or make any declaration of my sentiments, which I always had a right to do; but which if I now do, in a manner that may appear to a magistrate to be seditious, I am to be subjected to penalties which hitherto were unknown to the laws of England. If in stating any of these things out of the House, a magistrate should be of opinion that I am irregular, he is to have the power to stop me: he may say — 'The cause which you allege for your grievance is unfounded; you excite, by what you say, jealousies and discontents that are unfounded;' and if I say what in his judgment or his wishes ought to be concealed, he is to have a power to stop me, and to treat me as a rioter, if I do not obey him. I ask again, if this can be called a meeting of free people? Did ever a free people meet so? Did ever a free state exist so? Did any man ever hypothetically state the possibility of the existence of freedom under such restrictions? Good God Almighty, Sir! is it possible that the feelings of the people of this country should be thus insulted? Is it possible to make the people of this country believe that this plan is any thing but a total annihilation of their liberty?"

The right honourable gentleman had next adverted to a bill which had been passed to prevent the assembling of persons for the discussion of questions on the Lord's day, from which he was to bring in a bill to prevent the discussion of questions on any day; and this, he said, was to be applicable to all cases where money was to be taken. Why all questions were to be prohibited where money was to be taken, merely on an allegation that such questions might produce mischief, was, he confessed, beyond his skill to understand. But this was not all: it was to be applicable, it seemed, to places, where no money was to be taken, because, in truth, persons might be admitted by means of tickets; and they must not amount to a number beyond a certain one which the minister should be pleased to insert in his bill, unless duly licensed by a magistrate. He would again ask — Was this, or was it not, to prevent all political discussion whatever? Let them shew him when this had obtained since the Revolution, or at any time when this country could be called free. The people are to be prevented from discussing public topics publicly: they are to be prevented from discussing them privately. If then, without this private intercourse or public debate, the grievances of this country are to be felt,

and are such as to call forth a general desire that they should be redressed, what are the public to do? They must send, it seems, to a magistrate, and under his good leave they are to be permitted to proceed. [Here there was a cry from the treasury bench of No! no!] "I do not mean," said Mr. Fox, "to overstate this power, God knows there is no occasion for that, for there seems to be sufficient care taken of magisterial authority in every step of this proceeding. Behold, then, the state of a free born Englishman! Before he can discuss any topic which involves his liberty, he must send to a magistrate who is to attend the discussion. That magistrate cannot prevent such meeting: but he can prevent the speaking, because he can allege, that what is said tends to disturb the peace and tranquillity of this realm.

Sir, I hope this bill will never come into this House. I am not friendly to any thing that will produce violence. Those who know me will not impute to me any such desire; but I do hope, that this bill will produce an alarm; that while we have the power of assembling, the people will assemble; that while they have the power, they will not surrender it, but come forward and state their abhorrence of the principle of this proceeding; and those who do not, I pronounce to be traitors to their country. Good God, Sir, what madness, what frenzy has overtaken the authors of this measure! I will suppose for a moment that the only object which they have in view is the preventing a revolution in this country. But that they should have proceeded upon a plan which has no regard for the liberty of the people, no regard for the glorious efforts of our ancestors, no regard for their maxims, no esteem for the principles and the conduct which have made us what we are, or rather, if this bill be countenanced, what we were, is to me astonishing! For to proceed thus, in order to suppress or prevent popular tumults, appears to me to be the most desperate infatuation. Good God, Sir! We have seen and have heard of revolutions in different states. Were they owing to the freedom of popular opinions? Were they owing to the facility of popular meetings? No, Sir, they were owing to the reverse of these; and therefore I say, if we wish to avoid the danger of such revolutions, we should put ourselves in a state as different from them as possible. What are we now doing? Putting ourselves in a condition nearly resembling the periods when these revolutions happened. In the reign of Charles I., the most interesting period to which we can look in the history of this country, was freedom of speech indulged to any latitude; or were libels suffered to pass without notice? On the contrary, were not both, at that time, punished with an extraordinary degree of ri-

gour? Is it the intention of ministers, by these arbitrary measures, to bring the country into the same disastrous situation in which it was plunged during that unhappy reign? It might have been hoped, that the impressive lessons of modern times, and of events still fresh in their consequences, had not yet been forgotten. Look to France before the period of her revolution. Was it the facility of public meetings, or the freedom of discussion granted to the subject, that tended to produce that great change? On the contrary, was it not the absolute prerogative of the king? Was it not the arbitrary power lodged in ministers? Was it not the oppressive privilege of issuing *Lettres de Cachet* against all who dared to utter their sentiments, and complain of existing grievances, that excited the indignation of the people and accelerated the downfall of the monarchy? If, therefore, one view on which the present measure is held out to your acceptance, be in order to prevent the troubles arising from the frequency of popular assemblies, on that very ground ought the friends of peace and of order to resist the adoption of the measure. In countries where men may openly state their grievances and boldly claim redress, the effect of their complaints and remonstrances may, indeed, for a time be obstructed by the operation of ministerial corruption and intrigue; but perseverance must ultimately be effectual in procuring them relief. But if you take away all legal means of obtaining that object, if you silence remonstrance and stifle complaint, you then leave no other alternative but force and violence. These are means so dreadful in their effects, that it may be matter of question whether any good they produce can possibly compensate for the evils with which they are necessarily attended; such means as scarcely even the best cause can justify. Let us examine a little closely the argument on which so much stress is laid, namely, the danger that may arise from a popular discussion of grievances. If the pretext of grievances be groundless, and not warranted by any immediate pressure, the more it is discussed, the less effect it will have in exciting discontent. But if you preclude these political humours, if I may so call them, from having a vent, you then leave no alternative but unconstitutional submission, or actual violence. If ever there exists a just cause of grievance, one or other must be adopted; a tame acquiescence, incompatible with the spirit of freedom, or an open resistance, subversive of the order of government. I know that peace and quiet are the greatest of all blessings, but I know also, that rational liberty is the only security for their enjoyment. I admire the British constitution, because it gives scope to the people to exercise the right of political

discussion; not merely with the permission of a magistrate, or under the control of an executive force, but on all occasions to state, in bold and plain words, the grievances which they feel, and the redress which they desire. I have only now to express my firm determination to oppose the bill in every stage of its progress. And, in the first instance, I shall conceive it necessary to move for a call of the House, as it is impossible for me to suffer a question, which involves so material an alteration of the constitution, to pass in this House, without solemnly calling on every member to give a vote on the discussion.

The motion for leave to bring in the bill was also opposed by Mr. Stanley, Mr. Maurice Robinson, Mr. Curwen, Mr. Sheridan, and Mr. Grey. The House divided on the motion for leave to bring in the bill:

	Tellers.			*Tellers.*	
YEAS	Lord Belgrave Mr. R. Stewart	214.	NOES	Mr. Grey Mr. Sheridan	42.

Leave was accordingly given to bring in the bill, and, on the motion of Mr. Fox, a call of the House on that day fortnight was agreed to.

November 16.

The bill "for the safety and preservation of his majesty's person and government, against treasonable and seditious practices and attempts," passed the House of Lords this day, and was brought down to the Commons. After it had been read a first time, Mr. Sheridan, insisting that no proofs had been adduced to authorize so harsh a measure, and that ministers had no right to bring forward such a bill without the clearest proofs of its necessity, moved, "That a committee be appointed to inquire into the existence and extent of the danger of seditious meetings, as referred to in his majesty's proclamation." The motion for an inquiry was opposed by Mr. Powys, Mr. Windham, Mr. Pitt, and the attorney-general, as creating a delay that might be productive of much danger. The tranquillity of the public, they said, required the promptest measures. The latter expressed great solicitude in vindicating his conduct at the late trials: he insisted on the propriety of the bill in question, which, he said, would, at the most, prove the adoption of a lesser evil, to prevent a greater. The present laws of the land were, in his opinion, inadequate to prevent the appearance of such publications as he had read, and of such meetings as had been held; new laws were of consequence necessary.

Mr. Fox said, that as he did not wish, in the present stage of the business, unnecessarily to detain the House, he would

principally advert to what had fallen from the honourable and learned gentleman who had last spoken, who had gone into a very wide field, and introduced different topics, partly of a personal nature, and partly of a more general description, as applying to the question before the House. He was not one of those who thought that the attorney-general ought not, in the recent instances, which had been referred to in the course of debate, to have prosecuted for high treason. The declaration of the two Houses on that subject was decisive. Whenever it was the opinion of the attorney-general that persons had been guilty of high treason, it was his bounden duty to prosecute. But it did not follow, because those persons had been acquitted of the crime of high treason, that if they had been tried upon a different charge, they would have been found guilty of a misdemeanor. He had no doubt, that under this alteration of the charge, the jury would have conscientiously exercised their judgment, and brought in an honest verdict according to the circumstances of the case. The honourable and learned gentleman said, that acquittal did not disprove guilt. He was not one of those who would contend that acquittal was a decisive or unequivocal proof of innocence. In common cases there were many circumstances that might engender doubt as to the question of guilt or innocence. First, when the existence of the offence was ascertained, the difficulty was to prove by whom it had been committed, to what particular quarter the guilt should attach. Secondly, even when there was a moral certainty, with respect to the authors of the offence, there was often extreme difficulty in bringing home the charge to the individual, by legal proof. Neither of these circumstances, however, existed in the case of the individuals tried for high treason. There could neither be doubt as to their persons, nor difficulty in proving that they were the authors of the acts charged against them. They were acquitted by a jury not less respectable than the committee of that House who had drawn up the report respecting their proceedings. He would say not less respectable, from their situation in life; and in his opinion, not less respectable, because they were removed from those objects of ambition which might be supposed to have had some influence with the members of that committee, and which some of them since might have been deemed pretty well to have attained. In the course of the business, he had been early convinced of the want of evidence sufficient to convict those men, and had broadly stated his sentiments on that subject; but the honourable and learned gentleman had said, that Mr. Erskine and Mr. Gibbs, the prisoners' counsel, thought differently. For one of those gentlemen, from habits

of long intimacy, he entertained sentiments of the highest regard and friendship; of the other, from all he had heard of him, he had been taught to think with the greatest respect. But he should not have felt for one that ardent friendship, nor should he have deemed the other entitled to that sincere respect, if, in a question of life and death, where they were called upon to act as counsel, from any speculation of their own, with respect to the guilt or innocence of the prisoners, or with respect to the nature of evidence, they had neglected to set up that defence which was infallibly calculated to save the lives of their clients. Was it in consequence of the result of the trials that the bills were brought in? He was told that not from these trials only, but from their subsequent proceedings the dangerous temper of these meetings had been proved, and that their mischievous tendency could not be corrected, except by some new legislative regulation. He would appeal to ministers what had been the effect of the former regulations they had adopted. Had they not suspended the habeas corpus act, upon grounds which he must ever contend to be slight, and such as by no means warranted so violent a measure? Had they not afterwards renewed that suspension? The suspension, however, they had afterwards allowed to drop during the interval of the sitting of parliament. He had congratulated himself at the beginning of the session, when he heard his majesty talk of the spirit of order and submission to the laws, which, with a very few exceptions, had discovered itself among his faithful subjects. Coupling this declaration with the conduct of ministers, in allowing the suspension of the habeas corpus to drop, he had flattered himself that ministers had now renounced the opinion, that the evil to be dreaded from certain principles would be diminished by vigorous judicial proceedings, and the prosecution of the war with France. He did not think for his own part that the evil was in any degree diminished; but he conceived that ministers had begun to form more just opinions on the subject, that they had begun to perceive the folly and inefficacy of their former measures, and to adopt in the course of their future proceedings the suggestions of a milder spirit and more enlightened policy. Unhappily, however, for the country, it appeared from the present measure, that he had been mistaken in these expectations. Was it in consequence of the meeting at Copenhagen-house, or the meeting at St. George's Fields, that they had been induced to bring forward the present bills? Both these meetings, he remarked, had taken place previous to the commencement of the present session, when the ministers put into the mouth of his majesty a declaration of the spirit of order and submission to the law, which had manifested itself in the country. Would they then say, that any thing which had

occurred at those meetings, was the ground of their present measures? If they did say so, he defied even credulity to believe them. He had stated, that notwithstanding the prosecutions which had been carried on in this country; notwithstanding the still more disgraceful judicial proceedings in Scotland, which exhibited a mere mockery of justice; still he had hopes, from the conduct of ministers, in allowing the suspension of the habeas corpus to drop, that that law would be left to its course, and even that liberty would revive. But, then, what had happened on the 29th of October — that outrage on his majesty, which they all equally deplored. He was told that outrage was connected with the proceedings of certain societies. He was referred for proof to the coincidence in point of time, and the notoriety of their transactions. Here he remarked, that while ministers declined giving that proof to which the House was entitled, and which they ought to have received before they consented to entertain a question of such deep importance to the constitution, they brought a sort of evidence which was worse than all; evidence was brought from a proclamation of the executive government. An attempt was made so far to degrade the House, as to bring in a bill upon the evidence of a proclamation of his majesty's ministers. Part of the honourable and learned gentleman's speech he confessed had strongly affected him. He talked of the contempt into which parliament had fallen. If parliament were so careless of their duty, so lost to all sense of character as to take a proclamation of the executive government as evidence of the facts, upon which they were to ground their proceedings, they would, indeed, deserve that contempt which they were said to have incurred. The honourable and learned gentleman had read a number of papers, in order to shew the atrocious spirit and dangerous views of the persons who composed these meetings. It was a sort of evidence which he confessed he received with much suspicion, in consequence of the distrust with which he was accustomed to receive every such communication from that quarter of the House. If such facts existed, as had been stated by the honourable and learned gentleman, why were they not brought before the House in such a way as might constitute a proper ground for their proceedings? Why ought not the House to have the spies of the right honourable gentleman at their bar, in order to examine them as to their report of the facts which might have come under their inspection? The honourable and learned gentleman said that spies were instruments whom government had at all times found necessary to employ. Mr. Fox admitted that there were different sorts of spies. First, there were persons who might by chance be privy to some intelli-

gence, which they might deem it essential for the interests or safety of the state to communicate, and these he should set down as useful or meritorious spies. There were others who went certain lengths in order to acquire information, and made certain sacrifices, in order the more completely to get into the secrets of others; these he should reckon at least doubtful. But there were a third sort, who, in order to serve their own vile purposes, insinuated themselves into the confidence of those whom they wished to betray, not only affected a similarity of sentiment, but even spurred and goaded them on, and prompted them to adopt more violent language and more reprehensible propositions, than they would otherwise have employed—of such characters there were no words in the English language which could sufficiently mark his contempt and detestation. This was the description of spy, which most frequently appeared in the cases that solicited their notice—the trials at the Old Bailey. In all instances, the spy had been found the most furious in his sentiments, and the most intemperate in his language. He had often been the exaggerated and falsifying reporter of those proceedings, of which he himself had been prime mover and contriver. [The attorney-general here interrupted Mr. Fox, to tell him that an information had been preferred against one of the witnesses for perjury, but had not been proceeded upon by the grand jury.] Mr. Fox resumed. It was no proof to him of the innocence of the man, that a bill had not been found against him. But he would here refer to the trial of Mr. Walker, of Manchester, the proceedings on which were of such a nature, that they made his blood run cold, whenever he read or thought of them. Mr. Walker was not, indeed, put in peril of his life, for it required the oaths of two witnesses to have brought him to condign punishment; and fortunately for human nature, a second Dunn was not to be found. But he was put in hazard of his character, his liberty, and his fortune; and in the course of the trial it was found, that the person by whom he was accused was notoriously perjured. Yet on the oath of this very man, one of the name of Paul, had, for some time, been kept in prison. To be sure he was liberated upon the conviction of the perjury of his accuser. But what reparation did ministers grant to this man, thus exposed to suffer, from the falsehood and corruption of another? It was, surely, the duty of government to make amends to the innocent individual, subjected to the disgrace and hardships of confinement, from the negligence of ministers, or the depravity of their agents.

The honourable and learned gentleman said, that these were times which he could not contemplate without the most

serious apprehensions with respect to the fate of all who were dear to him. He confessed that he did not think less seriously of the times than the honourable and learned gentleman. It had been asked, whether it was fair to set down the whole of the friends and supporters of ministers as in a conspiracy against the liberties of the country? To this he would answer by another question, Did not the honourable and learned gentleman believe that there were in the Corresponding Society some men who were morally good, and who were by no means actuated by those detestable views and malignant passions, which were, upon every occasion, indiscriminately ascribed to the whole of the body? So in the same way he might believe, that there were some supporters of ministers, who really meant well, though they were blind dupes of the folly, or unconscious instruments of the wicked policy of ministers. But though he by no means confounded every supporter of ministers under the same censure, yet if he saw a rooted design on the part of ministers to invade the liberties of the subject, followed up by successive efforts, all directed to that object, he should think himself wanting in his duty, if he did not take all peaceable means of stirring up opposition on the part of the country to the progress of their measures. The honourable and learned gentleman had prefaced his speech with different views of the nature of the British constitution, in some of which he agreed with him, in others he thought his own opinions more applicable. He agreed with the honourable and learned gentleman, that the constitution was better adapted for the enjoyment of practical liberty than that of any other country, but he rather thought that had been the case formerly more than it was at present; it would be invidious to state any precise epoch when the alteration began to be most manifest, yet without meaning any thing, either personal or disrespectful to the king, he must state, that from the time of the Revolution till the accession of his present majesty to the throne, practical liberty had been greater than it had been since, and that the system which had been acted upon in this reign was more hostile to liberty than that acted upon during the period to which he had alluded. He declared he could discover nothing in the present state of the country that could justify this new infringement on the liberties of the subject intended by the bill. So far from it, the power and influence of the crown were obviously so enormous, that all the liberty that subsisted in the country was preserved only by the freedom of speech and the liberty of the press; if either of these were given up, or in any degree taken away, the only barrier that we had against the annihilation of liberty would be completely destroyed.

The operation of the present bill would interrupt the meeting of clubs, occasional attendance on which formed the chief, if not the sole, luxury of persons in certain stations. [A cry of No! no!] If it did not do so, he could only say, that as it was at present expressed, he did not understand it. The honourable and learned gentleman told us, that the whole of government was attacked. He was not an advocate for attacks on government, but he was an advocate for human nature, when it was oppressed. It had been well said in a former war with respect to the Americans, "You drive them to madness, and will you quarrel with them about their ravings?" When he looked to the many calamities which the war had brought upon the country; when he saw, during them all, an acquiescent and confiding House of Commons, he thought he could account for some part of that spirit of murmuring and discontent which pervaded a great body of the people. He stated this to have been the only war since the peace of Utrecht, which had in no one instance given rise to any inquiry in the House of Commons. Even during the famous wars of Chatham, and the victorious campaigns of Malborough, inquiries were instituted respecting some of the operations. Had this been the only war so eminently brilliant, so uniformly successful, so clear in its details, so economical in its arrangements, as to claim exemption from that accuracy of investigation, which had been displayed at former periods in the military history of this country? With this negligence of the House of Commons before their eyes, with the experience of their own accumulated sufferings, was it to be wondered at that men should complain, more especially, when the betrayers of their interests, and the authors of their misfortunes, were at the same time making an attempt to deprive them of their dearest and best rights?

An honourable gentleman, (Mr. Powys,) the sting of whose eloquence chiefly consisted in its personality, had alluded to an immense number of people, who had that day been assembled without tumult or disorder. He appealed to the gentlemen who were present, whether the immense concourse had not shewn themselves to be seriously impressed with the importance of the question, and deeply interested in the issue. He must confess, that of the many meetings, which, in the course of his public duty, he had been called upon to attend, he never had witnessed one, which, from its numbers or deportment, discovered so strong an impression of the object for which they were met, and so fixed a determination to pursue it by all proper means. You may prevent men from complaining, said Mr. Fox, but you cannot prevent them from feeling. Either your bills must remain waste paper, or they must be carried

into execution with circumstances of the greatest oppression. And depend upon it, if men speak less, they will feel more, and arms will be left them as the only resource to procure redress to themselves, or exercise vengeance upon their oppressors.

Mr. Fox then proceeded to refute the pretexts for not going into an inquiry, from the supposed urgency of danger. He stated the little advantage which ministers had derived from their system of alarm and terror, from an instance personal to himself. If, at the commencement of the war, it should have been proposed, that he should make a speech, as he had that day done to thirty thousand people, the question would not have been, whether he should have been suffered to speak, but whether he should have been suffered to exist. By that large concourse he had that day been heard with unanimity and approbation; so great was the change that had taken place in their sentiments! He concluded with recommending ministers to abandon a system, which had hitherto only been marked by reverses and disappointments. The pressure of the war was the original source of the discontents of the people, and the measures taken to repress these discontents, had only increased the evil. The bad success of their policy ought to induce them to trace back their former steps,

Iterare cursus
——————Relictos;

and to try what effects they could produce upon the people, by treating them with respect and gentleness. He reminded them of the saying of a great man, whom he had often occasion to quote, (Mr. Burke,) "Try all means of gentleness; terror can always be applied to, but never without danger; for if it fails in one instance, it produces contempt ever after.'

The motion was also supported by Mr. Jekyll, Mr. Curwen, and Sir William Milner. The House divided: for Mr. Sheridan's motion 22: against it, 167.

November 17.

The motion for the second reading of the sedition bill was strongly supported by the solicitor-general. He was replied to, most ably and eloquently by Mr. Erskine, who denied that the bill was consistent with the principles of the British constitution. The statute enacted in the 13th of Charles II. was, he observed, the acknowledged precedent of the present bill: by the tenour of that statute one hundred thousand individuals might assemble in order to concert together a petition: the only prohibitions contained in that act, were, to hawk the petition about for those to sign, who

might not know of the grievances complained of, and that more than ten persons should present the petition to the king. It also empowered magistrates to interpose their authority when overt acts of tumult took place, and to require security against any breach of the peace; but no meeting nor communication of thoughts were forbidden; tumultuously petitioning was the only thing forbidden. How different, exclaimed Mr. Erskine, was this act from the bill now depending, which even prevented men from petitioning! He concluded by animadverting on the language once used by Mr. Pitt himself, on the subject of parliamentary reform. "We had lost America," were the minister's words, "through the corruption of an unreformed parliament, and we should never have a wise and honourable administration, nor be freed from the evils of unnecessary war, nor the fatal effects of the funding system, till a radical reform was obtained." But the man who had spoken these true and memorable words was the same who now charged with sedition all those who thought and spoke as he had done, and who reprobated the measures, which, after he had so bitterly complained of them in that speech, he had now thought proper to adopt! — The bill was defended by Mr. Dundas, who took occasion to observe, that no member of that House had so frequently distinguished himself by appeals to the people as Mr. Fox, combating ministers in popular meetings one half of the day, and attacking them with equal fervour in parliament during the remainder. He had acted the same part during the American war to as little purpose, however, as it would appear he had done at present. Mr. Dundas inveighed, with great asperity, against some particulars in his political conduct and connections.

Mr. Fox said, that if he possessed much of that vanity, which the right honourable gentleman had been pleased to impute to him, it would have been no small gratification to him to have formed the subject of not merely one or two or three, but at least of four different speeches, which he recollected the right honourable gentleman, considerable in abilities himself, high in situation, and great in power, to have made upon his character and public conduct. On several occasions, he remembered to have been publicly addressed from the same quarter, in a similar style of catechism, upon his opinion respecting the extent and mode of reform in parliament, and respecting his sentiments upon the influence of the crown and the proper limits of the royal prerogative. The right honourable secretary had at that time received several hints from his right honourable friend near him, (the chancellor of the exchequer,) not to push his enquiries too far. On the present occasion, however, he was not fortunate enough to reap the benefit of so kind a hint, and therefore he would answer the different questions in the catechism, with all the plainness and sincerity in his power. The first inquiry of the right honourable secretary related to his conduct in the famous Middlesex

election; in reply to which he was at liberty to affirm, that while he gave his decided opinion in favour of the sovereignty of parliamentary law, he never had uttered any sentiment which was in the least unfavourable to the right which the people indisputably possessed of expressing their sense of every public measure. From the Middlesex election the right honourable secretary had proceeded to catechise him upon his conduct during the American war, and by talking of his erecting a stage without doors, he seemed to speak with some contempt of the manner in which he (Mr. Fox) had acted at certain meetings, that were held at Westminster-hall and other places, upon these occasions: he found himself accused with having pronounced invectives against persons who were then in high authority. The right honourable gentleman had forgotten the conduct which his right honourable friend (Mr. Pitt) had adopted, and those eloquent speeches he had at that time delivered, in which public harangues to the people were described as the most agreeable and most useful duty which representatives in parliament could discharge to their constituents. In answer to the charge, that he had, in a personal manner, attacked those who had no opportunity of appearing in their own defence, he had to say, that it was the duty of every man, and particularly of every member of parliament, when the conduct of the executive government was called in question, to represent the characters and conduct of members in their true colours. What was the use or the value of a popular meeting, upon a political subject, without that freedom? At meetings held in Yorkshire and other places at that time, such had been the practice of others. Although he had then spoken freely of government, when he opposed its measures, he was willing to allow others to oppose him. In the year 1784, for instance, the house would recollect what had happened. Mr. Burke, in his emphatical language, had called the parliamentary conduct of some gentlemen the revolution of 1784. In that year, the House could not have forgotten how he had been opposed; what invectives had been employed against him, and those in places, where, as the right honourable gentleman had said, he could not be present to answer. Did he ever make one unmanly murmur upon that occasion? Did he ever complain of that invective? Did he ever say one word against the sacred right of the people to assemble and freely discuss political subjects when those discussions were against him? Never in any one instance had he uttered a syllable that went to question the right, or to blame the practice, of holding public meetings of the people. He had endeavoured to answer much of the reasoning that had been urged against him at these meetings; but he had not said a word against the propriety

of holding them. What was the principle of the present bill? To restrain the exercise of free discussion at all those meetings.

The right honourable secretary had asked, what advantages had resulted to the country from those political meetings during the American war? He did not mean to arrogate to himself any extraordinary share in the opposition which he made to that war. It did not become him to say much upon that subject; he trusted he might, however, be pardoned, if he said that the popular meetings in question, tended to hasten the conclusion of that war. Was the right honourable gentleman of that opinion, or was he not? What did he think of the meetings that were held at Norwich and at other places? Upon this head the right honourable secretary might have some information from one of his present friends*, if he wanted any information. Those measures went further than to put an end to the war; they contributed to the correction of some of the abuses of administration, since the celebrated bill of Mr. Burke, which did that gentleman so much honour, was founded on those measures. Perhaps he should be told, that all the meetings that had any effect (indeed, he had been told so already,) were called by the sheriff, and that all that was said at the meeting at Westminster had no effect, because it was not a meeting which had that authority. He wished to know what magic there was in a meeting that was called by the sheriff, in preference to any other public meeting? So much of the subject, therefore, as related to public meetings, he recollected with pleasure and satisfaction. Public meetings had contributed to put an end to the American war: and if he had said some things against any of those individuals who advised it, he was consoled with the reflection, that if he had helped to shorten that destructive war only one year, he had contributed to prevent the increase of the number of helpless orphans and mourning widows—he had contributed to lessen the distress of the poor and friendless. Let him not be told, then, that he had acted an unmanly part, by frequenting those public meetings. He must again say, that if there was any glory in putting an end to the American war, he should be proud to hear that he had, in common with others, a share in that glory. When the right honourable secretary talked of invectives thrown out at those public meetings, against persons who were not present, he would recommend to him to reflect on what had happened the day before at the meeting at Palace-yard. He knew, and if necessary, he could prove, that

* Mr. Windham. See the note to Vol. v. p. 208.

there had been manifested a good deal of zeal: in fact, an active canvass had taken place on the part of ministers, in order that their friends might attend that meeting. Messages were sent about, stating that it would be agreeable to government if their friends took care to be present. The consequence was, an attendance was procured, and many friends to government, persons of authority, were there, among whom was his noble colleague, Lord Hood, and two honourable gentlemen in his eye (Messrs. Canning and Jenkinson); he hoped, therefore, the right honourable gentleman would not complain that any attacks had been made on ministers in the absence of their friends that day.

The right honourable gentleman had also accused him of having altered his course for some years with regard to public meetings; that he had been fond of attending them in the earlier part of his parliamentary life, but that he had of late declined them. He admitted the observation to be founded in truth; the reason was, that for some time past he did not see that his attendance at public meetings could be of any use to the public: whenever he thought it might become so, he was ready to attend; and this he thought a part of his public duty, whatever opinions other persons might entertain upon that subject. If ever such attendance had been necessary, it was so at this time; when the constitution was attacked, it was the duty of every man to exert himself in its defence: he should therefore give all the authority he could pretend to, to such meetings, for the purpose of supporting the rights and liberties of the people. Avowing that for his motive, he was ready to meet any ministerial censure that might be cast upon him. The right honourable gentleman had asked him, if he thought that any efforts of his could be heard with attention? and whether he imagined his eloquence could make any impression on such a multitude as thirty thousand? He had no such idea; he had nevertheless used all his endeavours to explain to them the nature of the subject which they had to consider. The right honourable gentleman had also asked, whether he thought they applauded him? His answer was, that he was not so vain as to expect it: he attended not for the purpose of receiving applause, or commanding assent; he went for the purpose of learning the sense of his constituents on the most important political topic which could be presented for their deliberation. It was, he confessed, somewhat unpleasant, particularly at his time of life, to attend popular meetings; the labour and fatigue, however, he considered as the merest trifles, when compared with the fate of the question which had yesterday been submitted to the inhabitants of Westminster, whose applause at the meeting arose from the

feeling which those present had of the propriety of the measure they were met to adopt. This arose out of the detestation they felt for the bill before the House. In that view he saw the utility of such meetings, and it was on that ground that he attended them. At that meeting the bill met what it ought to meet, and what, if the public had any regard for their liberties, it would meet all over the kingdom — general execration and abhorrence. Execration that would be increased in consequence of certain opinions that had been lately delivered in that House. The more the public had that feeling (which, thank God, they began to manifest,) the more he thought it his duty to give such meetings his countenance; meetings on which, perhaps, depended at this moment, the very essence of our constitution. That was his firm and sincere opinion; and that he believed to be the opinion of the public; for very plain and very decided language must at this moment be spoken to save the country from absolute ruin.

The right honourable gentleman had been pleased to pay him compliments on his talents, and had intimated a wish that they should never be exercised any where but in that House. To this he would answer, that he attended that House not for pleasure, but for duty; and he trusted that his attendance there might be more or less useful to the public; of how much use it was, it did not become him to determine. The right honourable gentleman had then asked, if he expected to convince that great multitude by his eloquence? Most certainly he did not; as little did he expect to convince that House. It had been said, that the majority of that multitude came pre-determined; perhaps they did. Did the majority of that House come wholly undetermined? Was there no resemblance between the House and that meeting in that respect? He had some experience of the House; and whenever he wholly despaired of persuading the majority of the House on points where the constitution was at stake, he thought attending such meetings as those alluded to useful, because it tended to enable him to arrive at the opinion of the public. Let this be stated to the House; and if this had no effect upon it, his attendance there would be useless, and even burthensome.

It was matter worthy of observation, that the debates on the bill had afforded the first occasion, since the accession of the house of Brunswick to the throne, of an open and parliamentary espousal of the cause of the house of Stuart. On the preceding night it had been said by an honourable baronet, (Sir Francis Basset,) and the idea had been borrowed that

evening by the solicitor-general, that even if there had been a revolution in the reigns of George the First and Second, it would not have been accompanied with the same dangers which would flow from a similar event taking place at the present crisis; as in the former case, the descendants of the house of Stuart might have been reinstated on the throne; whereas, at the present moment, anarchy, and a general dissolution of all the principles of civilized society, would follow any dispute about the constitutional rights of the sovereign. This was jacobitism in perfection, and he was not at all surprised at hearing jacobites come forward with such reasonings. What would the house of Stuart have done, had they been established on the throne? They would have introduced the catholic instead of the protestant religion. They would, perhaps, have put an end to parliaments, resumed the rights of juries, and subverted the liberty of the press. They would not, it was said, have invaded the rights of property, nor invented the detestable name of French equality, the inroads of which our British heroes swear by their lives and fortunes to resist. But if in the choice of dangers, a man must forfeit his life and property, in order to avoid a greater evil, (for the blessings of the constitution were out of the question, under the government of the Stuarts,) whatever may be the theoretical distinction, there was very little practical difference between the one or other alternative.

The right honourable gentleman had deprecated the idea of the legislature adopting the doctrine of resistance as a practical principle, though, at the same time, he allowed, that resistance must inevitably follow from a system of oppression long pursued. A most worthy and enlightened man, (General La Fayette,) in a neighbouring kingdom, which it was the fashion to refer to for instances of atrocious criminality, had affirmed resistance to be the most holy of duties, which the people of England were called to exercise; and perhaps the difference between him and the right honourable secretary would, on a second thought, appear but trifling. No man ever supposed that the legislature should adopt the doctrine of resistance, as a direct and practical maxim, though every man was convinced, and even the speech of the right honourable secretary himself strengthened the conviction, that resistance, in certain circumstances, was impossible to be avoided. With respect to the right which parliament possessed, of altering the bill of rights, he agreed with the right honourable secretary. He never could consent to the proposition that there were some fundamental laws of the constitution which parliament was incompetent to alter. They certainly were competent to make any alterations in the code

either of civil or criminal law, so far as their acts would necessarily be recognized in the decisions of all the various courts of judicature in the kingdom. But though they might be competent in point of power, it would not be prudential or expedient in many cases to use that power. There were many laws of the constitution which never ought to be repealed, and many privileges of the people which never ought to be invaded. Parliament had been represented as the only source of redress, and infallible object of public confidence. But who did not know, that if our ancestors had trusted every thing to parliament, their posterity would not have inherited that constitution which it has been their happiness to enjoy; and that the provision for petitioning the legislature would never have found admittance into the bill of rights. Even in the reign of King William, the Marquis of Hartington moved, in the House of Commons, for a power to be vested in the people of petitioning his majesty to hold or dissolve the parliament, and to remove the grievances to which it might be their fate to be subjected. Perhaps he might be laughed at for the superstitious veneration in which he held the names of some great and ancient families in the kingdom. There was no one for which he had a more profound respect than that of Cavendish; and sorry was he to see, that in a question of such great constitutional importance, not one of that illustrious family, who had so many seats in parliament, was to be found either in the minority or the adverse ranks.

Mr. Fox defended the sentiments of his honourable and learned friend, Mr. Erskine, which had been misunderstood or misrepresented by the right honourable secretary. His honourable and learned friend did not mean, and no man who pretended to the character of a statesman, he was convinced, would presume to say that property ought not to have great political weight. But even the right honourable gentleman himself would not contend, that property had an exclusive right of thinking and speaking upon subjects of constitutional importance. This would be to rob man of his natural and indefeasible rights, and to reduce society to its original elements. In another place, report declared that a person of high authority, considerable talents, and great learning (the Bishop of Rochester) had said, that the mass of the people had nothing to do with the laws, but to obey them. And this strange assertion had been made by a member of that order, who beyond all others were taught in their religion to recognize the natural equality of man. But he trusted that the people of England would not tamely surrender their indisputable and hereditary right, whatever inclination an arbitrary minister or a supercilious prelate might betray, to

wrest them out of their possession. How absurd was it that because a man had not the good fortune to have a freehold qualification of forty shillings valued rent, he must not be allowed to speak his sentiments on subjects which involve his dearest and most important concerns! At present he would not enter into the arguments for and against parliamentary reform. The sum of the argument on the one side was, that the people of the country were not equally represented; and the only answer bearing the smallest semblance of speciousness, which had been made, was, that though the people were not equally and individually represented, the aggregate body was to all intents and purposes, virtually represented; and that, for instance, the member for Westminster was equally zealous in promoting the general interest of the country, as he was in consulting the more immediate interests of his constituents. From this reasoning, the inference which naturally occurred was this, that they who had not an equal influence in chusing representatives in parliament, and who, in fact, had none, should by the exercise of petition have an opportunity of making their grievances known to those who were the virtual representatives of the nation. Whereas, in the present bill the privileges of petition, as well as the powers of election, were confined to boroughs and corporations who actually had representatives whom they had it in their power to entrust with the exercise of their functions. Would it not, said Mr. Fox, be much more suitable and becoming to extend this privilege to the poor householders, and the millions of unrepresented people in the country who have no other medium through which to make known their grievances, and to pour in their complaints? Deprive them of this right of petitioning, and you take from them all that is valuable in their political existence. In this view, then, the bill went to institute a fatal distinction between the constituents and non-constituents in the kingdom; a distinction which was sufficient to destroy the harmony and peace of the country; to confute the only argument which could be adduced in opposition to parliamentary reform, and to convert the government of the country into an aristocracy, or an oligarchy.

Mr. Fox proceeded to inquire how far the bill actually went in its provisions, to limit the right of petitioning. The sheriff must call the meeting. But what was to be done, if he refuse to call a meeting upon a subject of pressing importance? Can a meeting be held without his permission or not? But was not the sheriff an officer nominated by the crown; and what a mockery was it, to solicit permission from the crown, to meet in order to petition the crown? Suppose, for instance, that the object of the petition were to

be a dissolution of parliament, would the crown countenance a petition for any such purpose, as long as the king found it for his interest to retain the parliament then in being? On the supposition that redress of public grievances was the object, how could the people expect the countenance of those men to such an object, from whom all their grievances proceeded, and who afforded the real cause of complaint? The first clause, however, was not the least exceptionable; after the meeting had been convened, a justice of peace might, under various pretences, dissolve it; so that its proceedings were to be entirely subject to his caprice. Suppose, for example, that a petition for a reform in parliament was to be the subject which occupied the attention of the meeting; the magistrate might take it into his head, that the very idea conveyed an implied contempt of the present organization of the House of Commons, and under this impression might order it immediately to disperse under pain of military execution, before any of the purposes of the meeting were answered. All is referred to a discretionary power, which can be amenable to no earthly tribunal, as no man is accountable for the errors of his understanding.

Mr. Fox applied this reasoning to the meeting at Copenhagen House, the object of which he contended to be strictly legal, whatever were the forms of the petitions which were then drawn up, but an object which would have been resisted *à principio*, had the bill now pending been previously in force. There was another clause which was almost too ridiculous to mention, namely, that which prohibited all public lectures delivered for money. What would become of the professors of the different sciences in the universities? Would they not be clearly involved in the operation of this clause? But even in its most qualified construction, he could not conceive by what principle of policy a man was to be prohibited from acquiring his subsistence by instructing the people in the principles of the constitution. Of Mr. Thelwall and his lectures, he was entirely ignorant. If, however, they were innocent, why should he be disturbed? If they were seditious and treasonable, why was he not prosecuted under the existing statutes? The same observations applied to the papers which had been read by the noble lord (Mornington): if they were treasonable, the authors of them were amenable to the treason laws. He would not be understood as delivering an opinion whether they were or not, nor even whether every seditious paper which was circulated ought to be submitted to the course of law. He rather thought that a judicious selection of the most glaring and dangerous ought to be made by the attorney-general.

Mr. Fox then adverted to the general principle of the bill in the most animated and pointed terms. It was not, he said, a blow at the outworks of the constitution—it was a daring attempt to subvert its very foundation. Upon the liberty of the press and freedom of discussion, the basis of the constitution was known to rest. Take away these, and the whole fabric must fall. No man would deny that there were many abuses and defects in the practice of the constitution. Its chief value consisted in the excellence of the foundation; and when that was destroyed, the rest would not be worth preserving. For almost any other shock which it could have received, a remedy might have been found. Had parliament thought proper to alter the succession to the crown from the present family on the throne, dreadful convulsions would no doubt have ensued, but the investiture of a new prince with the sovereign power might have quieted the commotion. Had parliament made a bold and open attack upon the trial by jury, a speedy remedy would have been found in the deluge of argument and declamation which would immediately have issued from the press. Petitions would have been poured in, remonstrating against the assault on public liberty; and the voice of the people raised with unanimity and firmness, would have awed the proudest minister into submission. But when the power of speaking was taken away, what was there left but the patience of implicit submission? What hopes could be entertained that grievances would be removed when those who felt them dared not complain? In such a case, it would give him but little anxiety that a spirit of resistance was found impossible to be suppressed. At present he believed a spirit of discontent to be pretty general in the country, and he had no hesitation in saying, that it originated in a bad government, in wicked and ruinous measures, and in the blind and unmeaning confidence which the people had reposed in an unfortunate and desperate administration. The discontent might, perhaps, exist in some degree previous to the war, but he affirmed that it had spread since to a much more alarming extent. If the discontent originated in French principles, it was indebted for its currency to the measures of British ministers. He wished to bring them to issue upon this point. They said the people of England were loyal; so said he. They asserted that there were malcontents in the country; in this also he agreed. But he would ask, whether the danger to be apprehended from French principles, was greater now or two years ago? Let them say either the one or the other; but he intreated them, for God's sake, not to say both. For his own part, he thought it was greater. If it was, he de-

manded, if the increase of danger was not owing to the calamitous war, which was unjustly commenced, and had been unfortunately prosecuted? If the danger was diminished, why would they apply a more hazardous remedy, than when the disease was described as raging with its utmost fury? Whatever was the degree of danger in which the country now stood, he was firmly of opinion, that it would be increased rather than lessened by the remedy proposed. The danger had principally arisen from a system of terror, which ministers had adopted; and the most effectual mode of protracting the danger was by continuing this system, of which the present bill seemed to form a most prominent part.

Mr. Fox next adverted to what had been said of the danger of universal suffrage and annual parliaments. They had been represented as the cause of the subversion of the old French government, and they were described as the instrument employed by the Corresponding Society, to demolish the British constitution. He professed himself no friend to either; but he quoted the high authority of the Duke of Richmond, by whom they had been supported, and drew this inference, that the opinions of those in the higher and lower stations of society were treated in a very different stile of respect. When the members of corresponding societies think now, as the Duke of Richmond thought some years ago, there is a general outcry, Will you presume to touch the sacred ark of the constitution with unhallowed hands? But nothing was said when a daring minister comes forward, —not, indeed, with unhallowed hands, for a minister's hands are like those of the high priest of old, which it would be sacrilege even to look at, — not to touch it only, but to tear it in pieces.

The sole reason assigned for this outrage against the constitution, was, that when new occasions happen, new changes must take place. Mr. Fox here exposed the fallacy of the assertion, that universal suffrage was the cause of the downfall of the ancient despotism of France, and of the overthrow of the first constitution. He urged upon the serious consideration of ministers the situation into which they had reduced the country, and implored them to give up a system which was pregnant with ruin, and to employ every lenient and conciliatory means for gaining the affection of the people, and attaching them to the constitution. He said, he knew there was a spirit in the country to ward off the ravages of anarchy; he hoped, also, there was a spirit to resist the strides of oppression. Before he sat down, he would say a few words with respect to the general scarcity of provisions that prevailed, though not connected with the subject before the House. If the war was not the principal cause of the scar-

city, that it was an integral part could not be disputed. Though the harvest was in general abundant, yet wheat was not so productive as had been expected. Other articles of consumption which were more plentiful were equally dear; so dear, that the poor could not, for the price of labour (which was in no proportion to the dearness of provisions) buy enough of bread. There were many other mischiefs that followed in the train of a destructive war, the expences of which had lowered the value of money, as it had increased the price of necessaries. Though the blessings of returning peace could not in a month, or a year, restore plenty, and repair the hardships of the war, still they afforded the only cure for famine and poverty. Thus he might in some degree say — *Sublata causa, tollitur effectus.* The war ended, peace would, if not immediately, at least in time, bring back the country to its former state of prosperity. Mr. Fox concluded a masterly speech by saying, that he should consider it an unpardonable omission to conceal from the people, that they had to reproach themselves for a great part of their calamities by their supineness, in not bringing ministers to an account for their destructive measures, and with calling on the House to be aware of what they were doing, and not to continue a blind confidence in government to the ruin of the country.

The House divided on the motion for the second reading of the bill:

	Tellers.			*Tellers.*	
YEAS	Solicitor-General Mr. Neville	213.	NOES	Mr. Erskine Mr. St. John	43.

November 23.

Mr. Pitt having moved, "That the order of the day for going into a committee on the treason bill be discharged, and that the House do resolve itself into the said committee on the 25th instant;"

Mr. Fox said, he felt himself called upon by the expression of the right honourable gentleman, who had asserted, that the voice of the people had not been fairly taken, and that delays were made for the express purpose of misrepresentation. How was this proved? He had applied, it was true, for delay: but was that a proof of misrepresentation? Certainly not. It was uniformly the wish of those who misrepresented facts and opinions to hasten precipitately to their object. They must know that every hour would unveil some part of the delusion, would demolish some part of the artifice.

He wished for the delay, because it appeared that these bills were most reprobated where they were best known, and that they met with an equivocal approval only where their merits had not been discussed. The ample discussion of the sedition bill, as it was termed, had afforded ministers an opportunity of refuting every misrepresentation. Did it however appear that their explanations had satisfied the country? By no means. The right honourable gentleman expressed a wish for the further discussion of the bills, and a confidence in the effect of that discussion. Had he not had an opportunity of discussing them; and had he not seen and felt that the spirit of the country rose with the debate? If such had not been the case, he should have been mortified and hurt. The right honourable gentleman had charged him with artifice and misrepresentation. He had not practised any. He had stated nothing without doors that he had not stated within; nothing that was not consonant with his sincere opinion: if he expressed himself in strong terms without doors, he had spoken with equal ardour and vehemence within those walls. His opinion on the bills was precisely what he had declared it to be — that they repealed the bill of rights, and subverted the constitution of the country. He had no recourse to indirect means; nor did he, as the right honourable gentleman had done, exert his influence by under agents. He courted public discussion, being well assured, that the more the principle was discussed, the more general would be the odium and detestation with which it would be regarded. He did not wish to see the bills altered or amended; he rather hoped they might pass in their present form, because, as the attack was to be made upon the rights and liberties of the nation, he wished that attack should be open, broad, and intelligible to the people at large. He wished the bills to be pushed fairly forward, with all their force, that the people might feel and see the full extent of the danger that surrounded them; and that the attack, which the enemies of the country had meditated, should not steal upon them by surprize, and by gradation sap and undermine them. He did not wish the poison of these bills to be sweetened to their palates, but that the people should be prepared and cautioned against the dreadful draught. "We would not vote for these bills," say the members to their constituents, "if we could foresee the intended mischief." What attention however had the right honourable gentleman paid to public opinion? Where is his charge of misrepresentation? Has he heard the voice of the country? Has he heard the voice of Westminster? Of the common hall of London? Of the county of Middlesex?

If, indeed, the opinion of the majority were in favour of these bills; if he could believe it possible that the people of this country were so degraded and abject as to prefer slavery to liberty, or to countenance these bills with any thing like their approbation; if they did not so generally express their abhorrence of them, as to shew that they yet retained an unabating attachment to the constitution of their ancestors; he could only say, that he could no longer be a profitable servant of the people. He might sit down in silence, and enjoy in the tranquillity of private life, the society of his friends; but he could not, with the feelings he possessed, be a profitable servant of the people. If, on the contrary, the people of England were, as he truly believed them to be, decidedly against these bills; not a mere concerted majority, but the great mass of the people against them; then, undoubtedly they had a right to demand his services, and he should hold himself bound to obey the call. He had a right to hope and expect that these bills, which positively repealed the bill of rights, and cut up the whole of the constitution by the roots, by changing our limited monarchy into an absolute despotism, would not be enacted by parliament against the declared sense of a great majority of the people. If, however, ministers, so resolute on their spirit of destruction, were determined, by means of the corrupt influence they possessed in the two Houses of Parliament, to pass the bills, in violent opposition to the declared sense of a great majority of the nation, and they should be put in force with all their rigorous provisions, if his opinion were asked by the people, as to their obedience, he should tell them, that it was no longer a question of moral obligation and duty, but of prudence. It would, indeed, be a case of extremity alone which could justify resistance, and the only question would be, whether that resistance was prudent? He was aware that these words were liable to misconstruction, and he knew that ministers were adepts in the art of misrepresentation; but a public man must not shrink in times of danger from strong expressions, because they may be misconstrued, or misrepresented. What he said, he said deliberately; and it was for the authors and abettors of the bills to consider whether they would hurry the parliament to the passing of them, before it could be ascertained whether they had the sense of the people with them or not. With regard to the amendments that might be made in the committee, he repeated what he had said before on the subject, that no mending could qualify this attack on the constitution. He repeated it, the poison might be concealed, it might be made more palatable, and it would be so much the worse. If, how-

ever, the constitution was to be violated, he wished that the people might see the attack in all its glaring, open treason, that they might be roused to its defence. He certainly, therefore, should not lend himself to qualify the atrocious wickedness of these bills. Mr. Fox concluded with moving to adjourn the debate till that day fortnight.

Mr. Pitt said, he did not rise to follow the right honourable gentleman through the whole of his speech; but there were some passages in it which, consistently with his duty as a member of parliament, with his feelings as a man, with his attachment to his sovereign, and his veneration for the constitution, he could not hear, without rising instantly to express his horror and indignation at them. The right honourable gentleman, he observed, had made a bold, broad, and unqualified declaration, that if his arguments and his measures did not prevent the passing of bills, which a great majority of the House conceived to be necessary for the security of the person of the sovereign, and the preservation of the rights of the people, he would have recourse to different means of opposition. He had avowed his intention of setting up his own arguments in opposition to the authority of the legislature. He had said, that if he was asked his advice, he would put the propriety of resistance only on the question of prudence; without adverting whether the consequences of this advice might be followed by the penalties of treason, and the danger of convulsion; thus openly advising an appeal to the sword, which must either consign its authors to the vengeance of the violated law, or involve the country in anarchy and bloodshed. The right honourable gentleman had taken care not to be mistated; happily for the country, this declaration of his principles was too clear to admit of a doubt. With all the horror he felt at such language, he was glad the right honourable gentleman had been so unreserved and explicit. The House and the country would judge of that gentleman's conduct from his language; they might see the extent of his veneration for the constitution, and of his respect for parliament, when in violation of his duty, in defiance of legal punishment, he could bring himself to utter such sentiments. He was glad the right honourable gentleman had made that avowal, because he hoped it would warn all the true friends of the constitution to rally round it for its defence.

Mr. Fox said in explanation: The right honourable gentleman's talent for misrepresentation is neither unknown to myself nor to the House. I rise to re-state my expression, but not to retract one word of what I have said. Let the words be taken down at the table. They express the sentiments of an honest Englishman, they are those sentiments for which our forefathers shed their blood, and upon which the revolution was founded: but let me not be mistated. The case I put was, that these bills might be passed by a corrupt

majority of parliament, contrary to the opinion and sentiments of the great body of the nation. If the majority of the people approve of these bills, I will not be the person to inflame their minds, and stir them up to rebellion; but if, in the general opinion of the country, it is conceived that these bills attack the fundamental principles of our constitution, I then maintain, that the propriety of resistance, instead of remaining any longer a question of morality, will become merely a question of prudence. I may be told that these are strong words; but strong measures require strong words. I will not submit to arbitrary power, while there remains any alternative to vindicate my freedom.

Mr. Sheridan repeated what Mr. Fox had stated, with respect to resistance. If, he said, a degraded and oppressed majority of the people applied to him, he would advise them to acquiesce in those bills, only as long as resistance was imprudent. They had affirmed, that these bills went directly to overturn the constitution; if they were sincere in that language, what other answer could they give to the people than that which they now avowed? What contemptible wretches must they be, if, while under the shelter of their privilege, they professed the measures to be calculated to overturn the constitution, and infringe the bill of rights, they shrank back on such an occasion, from stating that which they conceived to be the undoubted right of the subject — to resist oppression, when all legal means of redress were refused. To the declaration of Mr. Fox he implicitly subscribed. It must be the feeling of every true Englishman; of every man who acknowledged the principles which seated the illustrious family of Brunswick on the throne. His right honourable friend had said, that if the people of England were so dead to all their former feelings, that they wished for these bills, then he was no longer a fit servant for such a people, and he had no occasion to have made that declaration; they did, and must know that the frame and texture of his soul could never suffer him to be the servant of slaves, as they must be if these bills passed into laws. — Mr. Grey also said, that from the principle which had been maintained by his right honourable friend, he would not shrink; and he would repeat with him, that if, by the government of the country, measures were carried into effect, contrary to the wishes of a great majority of the people, and contrary to the liberties of the nation, if he should be asked, whether the people ought to refrain from resistance, he would say, that they should only be induced to refrain by motives of prudence. With respect to the bills themselves, he concurred entirely with his right honourable friend, that no modification could make them otherwise than hostile to the principles of the constitution.

November 24.

Mr. Erskine having this day presented a petition from the merchants, bankers, and other inhabitants of London against the treason and sedition bills, its reception was opposed by Mr. Serjeant Adair, Alderman Newnham, and others.

Mr. Fox said, that several things had been observed and stated in the course of the debate, which ought not to go unnoticed. Insinuations against the conduct of noble dukes appearing at public meetings, and the novelty of such behaviour had been thrown out. The Middlesex meeting was not, he observed, the first instance in which peers and members of parliament had taken a share in county meetings. In the year 1780, meetings of that sort had been frequent, and had proved highly useful. He was convinced by the influence and spirit they had excited, that they had tended to abridge, by at least one or two years, the duration of a cruel and impolitic war. Similar meetings had on various occasions been held, and he would defy any man to deny the advantages that had resulted from them to the country.

Alarms, it was asserted, had been spread concerning the tendency of the bills now pending in parliament, and that these meetings were calculated to inflame and irritate the minds of the people against measures of no serious consequence to their liberties and the constitution. Was it possible that he should forget the zeal and activity which had been exerted to spread alarm without doors concerning the tendency of his India bill? One right honourable gentleman, the present chancellor of the exchequer, in arguing against that measure, had boldly avowed, that he would employ every means in his power to spread alarm among the people; and while he recollected the circumstance, it was with the utmost satisfaction he recollected the answer he then returned, that it was the duty of every member to explain to his constituents the nature of those measures by which they were to be affected. In no situation in which he had been placed, had he forgotten or ceased to respect the right of the subject to investigate public affairs, nor did he attempt to check that discussion, when it threatened to be unfavourable to the measures which he proposed, and which he was convinced were advantageous to the country. He declared, he considered it as a symptom of the decay of the principles of the constitution, when, since the year 1780, such a revolution had taken place in the sentiments, and such an alteration in the language of gentlemen upon that important point,

With equal astonishment had he heard the attempts which had been made to detract from the weight of that almost universal public disapprobation by which the bills had been condemned. It was roundly asserted, that other petitions would come forward to counteract the influence of those already presented. Of that the House knew nothing; it was an absurd and ridiculous preference of speculation to facts, which it was presumptuous to indulge. A worthy alderman (Mr. Lushington) had not only undertaken to answer for the merchants and bankers of London, and for his constituents, in contradiction to the positive vote of the Common Hall, but for three-fourths of the householders of the kingdom. Where were the facts upon which this assertion rested? Were three-fourths of the householders of Westminster for the bills? Would the worthy alderman tell him that the supporters of the bills had appealed to the parochial meetings with more success than they had appealed to general meetings? It was almost incredible, he said, that gentlemen should blind, not merely their understandings against the reception of truth, but even against the testimony and demonstration of their senses. It indicated a perverseness of mind, which would hear and see and judge of nothing that was unwelcome, and which, in spite of the clearest evidence, doubted of every fact that was disagreeable. Will they tell me, said Mr. Fox, that three-fourths of the inhabitants of Westminster are not against these bills, without contradicting my very senses?

But it was said, that the opposers of the bills had been guilty of misrepresentation. Be it so, for the sake of argument, said Mr. Fox. They tell us, that other petitions will appear, and testify a different sense in the people. This, at least, was a powerful reason for delaying the progress of the bills till these actually were brought forward. It had been said by a learned friend of his, (Mr. Serjeant Adair,) that these very petitions did not speak the sense of those who signed them. This was, at once and without proof, to take up a particular case, instead of the general presumption. The learned serjeant had accused his learned friend near him of misrepresenting the scope of the bills, when he said that such a meeting as that from which the petition was presented could not take place were the bill passed into a law. With the explanation he had repeatedly given, he would plead guilty to this accusation. He had stated, he said, that in such a meeting, no matter could be discussed freely, or to any effect. They might meet, no doubt, but for how long a time? No longer than till the magistrate thought, or chose to appear to think, that something improper had been done, on which he might disperse them, and prevent their coming to any reso-

lution. It must be admitted, therefore, that no misinterpretation had taken place; but that it was indubitably true that a meeting in such a situation was merely a nominal privilege, and that the efficient importance or utility of it was entirely done away. With regard to the responsibility of the magistrate, a difference of opinion certainly was entertained, but none as to his right of interference. Why, then, flatter or delude men with the idea that they have the right to meet and deliberate, when its exercise depends on so precarious a circumstance as the virtue or the caprice of the superintending magistrates? Was it ever contradicted that this was the case? Whatever might be the degree of responsibility, it was undoubted that the meeting might be dissolved. — Mr. Fox was proceeding, when he was called to order; and it was stated that the argument into which he had gone was irregular. Mr. Fox made an observation or two upon the call to order, and then said, that he should not trouble the House farther than to declare that if it had been supposed to have been literally stated by his honourable and learned friend, that no meeting could be held in future, that supposition was certainly unfounded; but if it had been supposed to have been stated that no free meetings could be held in future, to that statement he pleaded guilty. The distinction was so frivolous, as to be wholly unworthy of any man of sense and understanding.

The petition was ordered to lie on the table.

November 25.

This day a motion was made by Mr. Curwen to postpone for one week the discussion of the two bills. It was supported by Mr. Harrison, Mr. Whitbread, Mr. Lambton, and Mr. Fox. Mr. Whitbread animadverted with uncommon warmth upon the bills. Ministers, he said, pretended that the bills were to secure the liberties and constitution of the country. He was not surprised at such pretences, for he knew that it had been the practice of weak politicians and of furious bigots, in all ages, to pretend, while they secretly undermined any institution, that they were putting that institution on a firmer basis. Had not the axe, the wheel, and the stake, been used to enforce that mild religion we professed? Now, he would unequivocally affirm, that these bills were exactly of a similar nature, and equally detestable with the most despotic measures of the most accursed tyrant upon earth. Instead of beholding the people prosper under a government of freedom, justice, and mercy, we should soon see them sink under a government of tyranny, of persecution, and of blood — aye of blood! Was there no blood in this bill? What did it tend to but the shedding the blood of his majesty's subjects, when it so slightly enforced military execution? The bill was a severe and rigorous act; and if it

was possible to heighten the rigour of it, it was now to be passed into a law without the smallest shadow of necessity.—The motion was opposed by Mr. Wallace, Mr. Hiley Addington, and Mr. William Grant, afterwards master of the rolls.

Mr. Fox said, he had listened with sincere pleasure, in common with every man in the House, to the able and eloquent speech delivered by the learned gentleman who had just sat down. He respected the talents of that learned gentleman, and admired his ingenuity. Nor did he mean any thing in the least disrespectful to the masterly display of both, which he had made on the present occasion, when he said, that though his speech was full of argument, and replete with eloquence, a man might safely subscribe to every statement he had brought forward, and every conclusion he had drawn, and yet vote against the present bill.

The ingenuity of the honourable and learned gentleman had, indeed, made no inconsiderable impression upon the House; though his arguments seemed not so much to bear on the principle of the bill under immediate discussion, as on the general policy of legislation. He felt the difficulty, therefore, in replying to a speech of that nature. Able and extensive as it had been, he was not in the least disposed, nor did he believe any sober politician would be inclined to controvert the principles laid down by the honourable and learned gentleman in the beginning of his speech. His position was, that, at a time of considerable danger, it was proper to give up part of the constitution, in order to secure the remainder. That maxim abstractedly considered, was incontrovertible; before it could have any weight, however, when applied in a practical view, it was necessary to prove the existence of the danger, its extent and magnitude; it would also be necessary to shew, that the remedy called for was exactly a surrender of that portion of the constitution which it might be proper to sacrifice, and not more than the value of the object to be secured. The degree of constraint which government was to impose, could be the only ground of doubt and difference of opinion. That government was in its application a system of restraint upon human action, was clear and undeniable. It was important, however, to consider well the quantity and the quality of the restraint which circumstances might require.

The honourable and learned gentleman had complained, that it was the temper of the times to take every general principle as meant to apply universally, and to fasten upon the person who employed it all the absurd consequences which might arise from such an application. He admitted the truth of the observation, and was convinced that no man had better

reason to complain than himself. The honourable and learned gentleman had accused gentlemen on that side of the House of wishing to produce this dilemma, either that the people were animated by an universal spirit of loyalty, or that they were inflamed with a spirit of disaffection. He had never said that the people were completely harmonious in their political sentiments or opinions, or that no discontent prevailed. It had, however, been often stated on his side of the House, and he would call upon the honourable and learned gentleman to say, whether he believed the spirit of dissatisfaction was greater or less at present than it had been previous to the war. He had never stated, because he had never believed, that the state of public affairs was wholly without danger. If it was allowed to be greater, to what cause was the increase to be attributed? He was surely entitled to presume that it was occasioned by the discontents excited by an impolitic and unjust war; by the measures of a corrupt, incapable administration; and that it was ascribable to the complicated miseries arising from the decay of commerce, and the pressure of famine, into which the country had been plunged. The war, then, had produced an effect directly the reverse of that stated by ministers themselves as the chief reason for triumphing in its success. If, on the other hand, the ground of apprehension was less, why were the sacrifices required for public security to be increased? He asked pardon of the House for the repetition in which he indulged; but when the same arguments came from the opposite bench, and the same objections were offered to gentlemen on his side of the House, he could not forbear repeating that material question.

With regard to the point of danger, of which the honourable and learned gentleman was so anxious to have a specific declaration of his sentiments, he had always stated, that some discontent existed, which might not be unworthy of attention, but which would never justify the legislative remedies proposed. The honourable and learned gentleman had affected to treat as a paradox the observation of his honourable friend, (Mr. Lambton,) that the danger of an attack was often created by the injudicious mode of defence. If it was a paradox, however, it was one of those which frequent experience proved to be true. Who could deny that many political evils were rendered desperate by the absurd methods pursued to remedy or to remove them? Was the honourable and learned gentleman so much more of a whig than himself, as to impute the whole evils of the civil wars, and the resistance to Charles I. to which the nation owed its liberties, to the conduct of that ill-fated monarch? Did the honourable and learned gentleman believe all these calamities were to be ascribed to the

illegality of ship-money, or of various other acts of that prince? Had there not been at that time a body of persons, previously inimical to the constitution; and was not the attack upon the monarchy rendered formidable, and even tragical in the event, by the rigorous measures which rendered the breach irreparable? The honourable and learned gentleman had also mentioned the case of the Americans. When that unfortunate dispute was first agitated, and when he heard scraps of pamphlets and papers read, to prove that there was a settled design formed to shake off the connection with this country, he had never been so unqualified a supporter of America, as to assert that no such designs were entertained. He was convinced, however, that those who had conceived the project of separating from the mother country were few indeed. By injurious attempts to remedy the evils then complained of, the catastrophe which it was intended to prevent was realised.

The honourable and learned gentleman had recurred to the fallacy so often answered, of which gentlemen on his side were accused, that they ascribed the discontents to the measures of his majesty's ministers. The honourable and learned gentleman asked, did not these discontents exist before the war, to which much of the discontent was imputed, had been commenced? Here again he would recall the two examples he had already employed. In the time of Charles the First there might have existed causes of dissatisfaction, which, nevertheless, the extravagant pretences of that prince, and the impolicy of his ministers in urging them, carried to that height which proved so fatal to themselves. At one period a compromise with America was practicable, but the opportunity of conciliation was lost, and the desperate system pursued in this country for ever cut off all hopes of that compromise being effected.

It had been said, that much danger was to be apprehended from that party hostile to the constitution drawing to itself all the discontented persons of the country. If the strength of this party depended upon the discontent which a bad government produced, and as the worst administration necessarily would occasion the most discontent, he would defy any man to deny that a great part of the ill humour arose from the bad conduct of ministers. If the discontented were composed of two kinds, those who were enemies to the constitution, and those who, from a spirit of discontent, joined their party and encreased its number, correct the abuses which had been so much the subject of complaint, introduce moderation and economy in the public expenditure, and banish that corruption which had crept into the representative body. Such a proceeding would separate those from the disaffected who

were displeased with abuses, and at the same time reconcile those to the constitution who had been alienated by its defects.

The honourable and learned gentleman, in animadverting on what had been said to come from gentlemen on his side, had only engendered a monstrous doctrine to show his dexterity in demolishing it. It had never been said, much less contended, that the verdict of juries on the state trials had proved that no seditious practices existed, but merely that the traitorous conspiracy was proved to be ill-founded. He had no hesitation to declare, that he considered the verdict of the jury on that point to be of more weight than the report of the secret committee. The honourable and learned gentleman had attempted to point out an inconsistency between the language at present held, and that which they had heard upon the report of the secret committee. The honourable and learned gentleman likewise had confounded a variety of circumstances, and, from the result of his own combinations, had endeavoured to fix on his side of the House that inconsistency which he had first invented, and then urged as a charge of inconsistency.

With regard to the degree of danger the honourable and learned gentleman imputed to the corresponding and other societies, (principles which he charged upon no authority,) it was impossible to believe that, among the whole, there was a majority unfavourable to monarchy. They might, indeed, have professed to maintain the doctrine of annual parliaments, and universal suffrage. These principles, however, were not borrowed from the French; they had been inculcated in discourses and writings, by respectable characters in Great Britain many years since; and if they contained the evil imputed to them, the French might complain, with more justice, that they had been imported into France from this country. Those societies, the honourable and learned gentleman had observed, must have some determinate object; either they were deserving of encouragement, or of disapprobation. Could there, he exclaimed, be no division of men, or opinions, which they might overlook, without being censured for their approbation, or accused for their neglect? Must the intolerance of French politics be adopted, which permits no minority, but which proceeds to violence, bloodshed, and extermination? There were many opinions which it was indifferent to approve, or to condemn; and the dilemma which the honourable and learned gentleman employed was the most absurd and ridiculous that had ever been framed. Was a man bound to attack every opinion different from his own? He had never been an advocate for annual parliaments; yet that opinion had been

avowed and maintained at various periods within this century. By the tories it was held as a favourite doctrine; and it had been said that the restoration of that system was a part of the plan of politics taken up in the beginning of the present reign, though that condition had never been observed. Instead, then, of attempting to legislate on this subject, it would be most proper to allow the public to judge for themselves, and trust to the good sense of the English nation. He had stated all his opinions. He had never evaded an explicit declaration. It was now to be considered how far the bill was applicable to the object it professed to have in view. If Englishmen had been seduced from their attachment to the constitution, how could it be restored by the present bill? Meetings might, indeed, be put a stop to, but a total communication of sentiment could not be prevented. The intercourse of the mind would remain. If there were, as represented by the honourable and learned gentleman, something so fascinating in the opinions it was to proscribe, the prospect was indeed alarming. Good God, Sir! said Mr. Fox, in such a case, what must be the horrors of our situation, when, in addition to its other evils, this detestable bill, strong as the measure is, is found to be inadequate to its purpose!

The honourable and learned gentleman had treated with a degree of contempt an opinion of his honourable friend, (Mr. Sheridan,) that the difference of habits, government, and character, would prevent the people of this country from ever sinking into the horrors to which the French, unprepared for freedom, had been exposed. Did the right honourable gentleman think that the negroes of the plantations, or the subjects of Russia, Turkey, or Germany, were capable of that liberty with which an Englishman might be indulged? It was not fair, therefore, to reason from Frenchmen to Englishmen, or to argue that in such dissimilar circumstances the same events would take place. Was the honourable and learned gentleman correct in his information concerning the French revolution? The jacobin club produced, perhaps, terrible effects upon minds not prepared for so great a change. Yet many of those events, to which their future disasters were owing, such as the depriving the clergy of their lands, and the nobility of their titles, took place previous to the establishment, at least to the credit and authority of the jacobin club.

The honourable and learned gentleman had stated, that the whole of the confusion which had desolated France had arisen from the jacobin clubs; that the number of them were few, that the original republican club in Paris consisted only of seven members, and that they afterwards produced the revolution of the 10th of August, 1792. Would that honour-

able and learned gentleman seriously say he believed it rational to frame a legislative provision which was to affect a whole nation, with respect to the most important part of its rights, on the ground of the determination of seven persons? The revolution in France was not to be accounted for in that manner, nor was that the period at which they were to date its commencement. When, then, was the period? What was the cause of the revolution of the 10th of August, 1792? Be it remembered, that he was no advocate for the conduct of the jacobins; no liberal man would accuse him of it; though he knew he must put up with that ill-founded charge from others. Let them inquire into the cause of the success of the jacobins in France; such an inquiry was necessary in order to be able to follow the arguments of the honourable and learned gentleman upon that subject. He would say, then, that they were concluding irrationally indeed, if they said it was owing entirely to the doctrine of the jacobins that the horrors of that day were exhibited, or that they were the cause of the dreadful catastrophe of the late unfortunate monarch of that country; a prince whose cruel fate might induce them to overlook the errors of his reign. In fact, his fate was in a great degree owing to his avowed connection with the nobility of that country; a nobility whose views were hostile to the interests of the people. He believed the king and his ministers were guilty of planning what was attempted at that time against the people. Supposing even that they were not, he would ask, was not the suspicion that they were guilty, a great cause of the revolution of the 10th of August, 1792? At that time the king's brother had left him; and the situation of his family, and their connection with the house of Austria, then known to be enemies to the government of France, were so well ascertained, that their objects could not be doubted. Did not these circumstances give ample room for suspicion, on the part of the French, as to the intentions of the king, and those ministers by whose council he was so fatally guided? If this were admitted, he had a right to say, that the catastrophe was no more accelerated by the wickedness of those who attacked, than by the baseness and folly of those who defended.

The honourable and learned gentleman had observed, that if he had said some years ago, that the then constitution of France would not last so long as our own, he should, by many, have been treated as a person who spoke in a very visionary and idle manner. In what company that gentleman had been, or from whose sentiments he formed that conjecture, Mr. Fox said, he did not know; if the learned gentleman had alluded to him, he had never said any thing like it.

On the contrary, he had always entertained and professed a different doctrine. Would any man assert, that although he had often said, that the first French revolution was a glorious event, he had asserted, that the systems which had been built upon that revolution were good? So far from it, the most moderate of them appeared to him to be unstable at least. That was his opinion; and the right honourable gentleman opposite to him knew it to be so; in one particular instance, he had emphatically so pronounced it. He meant to allude to a motion made for a reform of parliament. On that occasion, he had stated it as his opinion, and he had not changed it, that an old edifice, well altered and repaired, was more likely to be useful, than one built on an entirely new construction, of the structure of which they had no experience*. That was his opinion then, and it was his opinion at the present; the honourable and learned gentleman's allusion to opinions, therefore, if directed to him, was unfairly directed, and the sarcasm ill applied.

The rest of the honourable and learned gentleman's speech was what was commonly called pathetic, and he thought it necessary to take some notice of parts of it. He had stated, that if there was a violent party in this country, who pretended to have in view the destruction of the power of ministers and the correction of abuses, and they should once succeed, they would not stop there: that not only the minister would be the object of their fury, but they would aim at the destruction of others who had any authority in the country from their talents, independent of any connection with the government. If the honourable and learned gentleman did him the honour to include him under that class, he would tell him plainly, the caution to him was needless; by such an observation the honourable and learned gentleman only brought to his mind what, indeed, had been but seldom absent from it for many years. "If ever," said Mr. Fox, "those persons who wish to destroy the constitution of this country, as was done in the French revolution, by rapine and plunder, by carnage and desolation, should become a triumphant party here, though I may not be the first, I am well convinced I shall not be the last object of popular fury." If ever the day should come, which God avert, when men's lives should be subject to that sort of popular fury, he thought there were others who would go before him, and those were the authors of the present measures; and from that time, in his conscience, he believed, his life would be short indeed; and therefore the honourable and

* See Vol. v. p. 109.

learned gentleman need not warn him upon that subject. He saw that danger clearly; but he was not one of those who looked at the danger on one side only. The honourable and learned gentleman had said, if he joined bad men, he could not shake off his companions, nor check their excess; a truth which history confirmed. Was it not true on the other side also? If it was true, that if he acted with men of bad principles, the effect of such a junction might be that those who had served them in a particular cause might have no power to resist their fury, was it not, however, undeniably true, that those who joined a particular minister, and assisted him in his attempts to destroy the constitution of the country, would feel the same inability to check the progress of his ambition? Was it not as clearly true, if he had lent his assistance to bring about that euthanasia of the constitution, that he must afterwards yield his life to that accursed power who had effected the destruction of their country? He believed the time was not very distant, when those who had lent the minister, what he would call very honourable assistance, would not deny that they were become his personal slaves. He believed that some of them had felt it, and he thought he had seen some symptoms of that fact already. Certain gentlemen smiled at this: he did not mean to say any thing that could be deemed a personal degradation to them, if they did not feel it for themselves. But when he saw, day after day, and year after year, a system pursued, which tended to bring this country to that euthanasia predicted by Hume, he could not say he was willing to be an assistant in its accomplishment. With regard to the mischief, which was dreaded from the junction of men who only wanted to reform abuses with those who wished the destruction of the constitution, he would apply the remedy proposed by Mr. Burke, in the case of America, who had said on that occasion, that he would wish to separate the Americans — not by separating the north from the south, not by separating the east from the west, not by separating Boston from Philadelphia, but by separating those who were merely discontented with the abuses of the constitution, from those who had a hatred for it, and wished its total destruction.

The honourable and learned gentleman had asked, in what manner they should enter into a negociation with these discontented persons? He believed there would be some difficulty in knowing with whom to treat. As to the question, how we should treat? his answer was, by conciliation. This would be done, as Mr. Burke had said, by separating them. How were they to be separated? By setting about to correct abuses in earnest, as much as possible, whether in that House, or in any other part of the government. This would remove

all ground of jealousy and discontent on the part of those who loved the constitution, and who wished only to see the abuses eradicated; and this would destroy the alliance between them and those who really harboured a hatred for the constitution itself. This was the sort of separation which Mr. Burke recommended with regard to the Americans; and this was the separation which he would recommend, of the discontented in the country, at this time. Strike out the bad part of our present system, add to the beautiful parts, if that be possible; but, at all events, strike out the bad ones; and then, although they should not reconcile to their system, those who hated the constitution itself, they would deprive them of their force, by taking away the arguments by which they prevailed on good men to join them, and by which alone they could ever become formidable; namely, that of stating the abuses of our constitution as they subsisted in practice at present. What were the arguments that these men made use of to gain to their party those who loved the constitution, and which had been said by the honourable and learned gentleman to be so seducing? Topics of abuses in the constitution! Reform those abuses, and they took these seducing arguments away. It was, indeed, the whole of their argument; for as to their theory of government, that he was sure would not make any deep impression on the body of the people, who had too much good sense to be misled by such egregious fallacies.

The honourable and learned gentleman, in one part of his speech, and only in one, seemed to have a reference to the bill before the House. The honourable and learned gentleman admitted that the House was going to make a sacrifice by the measure before them; but had contended that what was retained of the rights of the people was still of higher value; the history of governments was certainly better than theory; in this, therefore, he agreed with the honourable and learned gentleman. He did not, however, agree with him, that what they were to retain was superior to what they had to lose, if the bill were passed into a law. That which was to be taken away was the foundation of the building. It might, indeed, be said, that there were beautiful parts of the building still left. The same might be said of another building that was undermined: "Here is a beautiful saloon, there is a fine drawing-room; here are elegant paintings, there elegant and superb furniture; here an extensive and well chosen library." But if the foundation was undermined, there could be nothing to rest upon, and the whole edifice must soon fall to the ground. Such would be the case with our constitution, if the bill should pass into a law. Our government was valuable, because it was free. What, he begged gentlemen to ask

themselves, were the fundamental parts of a free government? He knew there was a difference of opinion upon that subject. His own opinion was, that freedom did not depend upon the executive government, nor upon the administration of justice, nor upon any one particular or distinct part, nor even upon forms so much as it did on the general freedom of speech and of writing. With regard to freedom of speech, the bill before the House was a direct attack upon that freedom. No man dreaded the use of a universal proposition more than he did himself; he must nevertheless say, that speech ought to be completely free, without any restraint whatever, in any government pretending to be free. By being completely free, he did not mean that a person should not be liable to punishment for abusing that freedom, but he meant freedom in the first instance. The press was so at present, and he rejoiced it was so; what he meant was, that any man might write and print what he pleased, although he was liable to be punished, if he abused that freedom; this he called perfect freedom in the first instance. If this was necessary with regard to the press, it was still more so with regard to speech. An *imprimatur* had been talked of, and it would be dreadful enough; but a *dicatur* would be still more horrible. No man had been daring enough to say, that the press should not be free: but the bill before them did not, indeed, punish a man for speaking, it prevented him from speaking. For his own part, he had never heard of any danger arising to a free state from the freedom of the press, or freedom of speech; so far from it, he was perfectly clear that a free state could not exist without both. The honourable and learned gentleman had said, would they not preserve the remainder by giving up this liberty? He admitted, that, by passing of the bill, the people would have lost a great deal. A great deal! (said Mr. Fox,) Aye, all that is worth preserving. For you will have lost the spirit, the fire, the freedom, the boldness, the energy of the British character, and with them its best virtue. I say, it is not the written law of the constitution of England, it is not the law that is to be found in books, that has constituted the true principle of freedom in any country, at any time. No! it is the energy, the boldness of a man's mind, which prompts him to speak, not in private, but in large and popular assemblies, that constitutes, that creates, in a state, the spirit of freedom. This is the principle which gives life to liberty; without it the human character is a stranger to freedom. If you suffer the liberty of speech to be wrested from you, you will then have lost the freedom, the energy, the boldness of the British character. It has been said, that the right honourable gentleman rose to his present eminence by the influence of popular

favour, and that he is now kicking away the ladder by which he mounted to power. Whether such was the mode by which the right honourable gentleman attained his present situation I am a little inclined to question; but I can have no doubt that if this bill shall pass, England herself will have thrown away that ladder, by which she has risen to wealth, (but that is the last consideration,) to honour, to happiness, and to fame. Along with energy of thinking and liberty of speech, she will forfeit the comforts of her situation, and the dignity of her character, those blessings which they have secured to her at home, and the rank by which she has been distinguished among the nations. These were the sources of her splendour, and the foundation of her greatness—

——— Sic fortis Etruria crevit,
Scilicit et rerum facta est pulcherrima Roma.

We need only appeal to the example of that great city, whose prosperity the poet has thus recorded. In Rome, when the liberty of speech was gone, along with it vanished all that had constituted her the mistress of the world. I doubt not but in the days of Augustus there were persons who perceived no symptoms of decay, who exulted even in their fancied prosperity, when they contemplated the increasing opulence and splendid edifices of that grand metropolis, and who even deemed that they possessed their ancient liberty, because they still retained those titles of offices which had existed under the republic. What fine panegyrics were then pronounced on the prosperity of the empire!— "Tum tutus bos prata perambulat." This was flattery to Augustus; to that great destroyer of the liberties of mankind, as much an enemy to freedom, as any of the detestable tyrants who succeeded him. So with us, we are to be flattered with an account of the form of our government, by King, Lords and Commons—Eadem magistratuum vocabula. There were some then, as there are now, who said that the energy of Rome was not gone; while they felt their vanity gratified in viewing their city, which had been converted from brick into marble, they did not reflect that they had lost that spirit of manly independance which animated the Romans of better times, and that the beauty and splendour of their city served only to conceal the symptoms of rottenness and decay. So if this bill passes you may for a time retain your institution of juries and the forms of your free constitution; but the substance is gone, the foundation is undermined;—your fall is certain and your destruction inevitable. As a tree that is injured at the root and the bark taken off, the branches may live for a while, some sort of blossom may still remain; but it will

soon wither, decay, and perish: so take away the freedom of speech or of writing, and the foundation of all your freedom is gone. You will then fall, and be degraded and despised by all the world for your weakness and your folly, in not taking care of that which conducted you to all your fame, your greatness, your opulence, and prosperity. But before this happens, let the people once more be tried. I am a friend to taking the sense of the people, and therefore a friend to this motion. I wish for every delay that is possible in this important and alarming business. I wish for this adjournment — "Spatium requiemque furori." Let us put a stop to the madness of this bill; for if you pass it, you will take away the foundation of the liberty of the people of England, and then farewel to any happiness in this country!

The House divided on the question of adjournment:

	Tellers.			*Tellers.*	
YEAS	Mr. Curwen Mr. Whitbread	70.	NOES	Mr. Steele Mr. Wallace	269.

November 27.

On the order of the day for going into a committee on the sedition bill, Mr. Fox rose merely to ask when it was probable that the report, and the third reading of the bill, would come on. He said, he supposed when the bill had gone through the committee, that it would be reported, and then ordered to be printed. Mr. Pitt said, that immediately after the bill had gone through the committee, he should move for it to be printed, and that the further consideration would probably come on about Tuesday, December 1., and the third reading on the Thursday following. Mr. Fox, Mr. Grey, Mr. Lambton, Mr. Whitbread, General Tarleton, General Macleod, and the other opposers of the bill (Mr. Sheridan excepted) immediately rose and left the House. Mr. Sheridan said, he did not attend for the purpose of proposing any amendments to the bill, being persuaded that no alteration, except that of negativing every clause in it, would be of service, or render it palatable to the great majority of the public. He attended chiefly to watch some things which were going forward, and to hear what amendments would be proposed.

November 30.

On the motion for going into a committee on the treason bill, Mr. Erskine opposed the Speaker's leaving the chair. He observed, that the bill diminished the liberty of the subject, without adding to the safety of the king's person. It was a political maxim, he said, of long standing, that the best government was that which produced the greatest security with the fewest restraints, and the worst, that which increased penalties without undisputed evi-

dence of their propriety. Another maxim, of equal force, was to preserve ancient laws in their primitive simplicity, till experience had proved them inadequate to their intended purposes. The statute of Edward III. concerning treason, had not been proved, but merely asserted, to be unequal to the punishment of the outrages referred to in the two bills. In the opinion of one of the greatest luminaries of the law in this country, the lord-chief-justice Hale, that important statute had been enacted, as a remedy against former oppression, and to secure the subject against illegal prosecution. To compass, or even to imagine, the death of the king, was, by that statute, declared high treason: could words be found of stronger import, or of plainer meaning? To levy war against the king, or to grant comfort and protection to his enemies was, by that statute, made equally criminal; but it did not make the compassing to levy war against him high treason, because the legislators of that day did not consider a conspiracy to levy such a war as more than a misdemeanor, which, like many others, might not deserve material notice, while no clear and overt act could be adduced to prove it, and without which act no treasonable intentions could lawfully be presumed. Mr. Erskine argued, from the decision of lord-chief-justice Holt, that overt acts alone, properly established, ought to be admitted as proofs of guilt in trials for high treason. The bill in contemplation would, he explicitly affirmed, extend the crime of high treason to such a multitude of trivial cases, that every petty misdemeanor might be brought within its construction.—Mr. Erskine was replied to by the attorney-general, after which,

Mr. Fox said, it did not appear to him from what he had heard, that there was any thing very auspicious to the freedom of the people of this country to be expected from the progress of the bill before the House. The honourable and learned gentleman had begun his speech with finding fault with his learned friend (Mr. Erskine) for having blended the two bills in argument on the present occasion. Though his honourable and learned friend had spoken at considerable length, and with an effect which he trusted would not easily be forgotten, and though the two bills, in their component parts, might be traced to the same principle, and considered as the result of a connected attempt on the liberties of the country, he called upon the House to recollect that his honourable and learned friend had spoken most distinctly to the bill then before the House, and also on the system which ministers had lately adopted for the purpose of subverting the liberties of the people of England. In this his honourable and learned friend was perfectly right, because the charge he made was just. He spoke of one in consequence of the connection which it evidently had with the other; they were both branches of the same system, which ministers had adopted against the liberties of the people; and he must say again,

that, from the manner in which the honourable and learned gentleman had taken up the subject, it did not give him the most favourable opinion of the manner in which this business was intended to be conducted by its advocates; by the specimen he had witnessed, he was not led to expect any great candour.

The business then before the House undoubtedly was, the nature of the present bill; he hoped, however, he was not mistaken when he expected that parliament would consider that the preamble of a bill and its enactments were two separate and distinct things. If that were true with respect to a bill that originated in that House, did it not more emphatically apply to a bill that originated in the other House of parliament? And if the bill then under consideration not only came from another House of parliament, but came also from persons who were suspected of not being attached to the best principles of our constitution, upon that view only, if there had been no other, he was desirous that the bill should be rejected; because he could not help thinking that the House would do well to consider the state of the country, to watch with anxious care and constitutional jealousy, every thing that tended to abridge the rights of the subject, and then consider the state of public affairs, and adopt some measure for its safety, if, upon mature deliberation, some measure should be found to be necessary.

To him, Mr. Fox said, there had appeared to be one way of considering a bill which could not fairly be objected to; that was to attend to the preamble of it. He had flattered himself that he knew something of the bill from some recollection of its contents: however, the speech of the honourable and learned gentleman had staggered him; certainly the speech he had heard bore no resemblance to the ideas he had entertained of the bill. From one part of that speech a person who was a perfect stranger to the bill, would have thought the bill was a declaratory law on the crime of treason, and on the meaning of the statutes which defined it. He would have expected to have heard read as an introduction to the bill, words to this effect: "Whereas doubts have arisen respecting the law as it now stands with regard to the crime of treason; be it declared, &c." Instead of this, he only found that reference was had to, and loose, very loose, comments made on what had recently happened, and on facts which had lately been brought forward in a court of justice. The honourable and learned gentleman had done no more than this, and then appeared to insinuate, to render the bill a little less disgusting, that it was intended to be only temporary. He would ask, if the bill was to be temporary,

where was the propriety in making it of a declaratory nature? A declaration must be either true or false: truth was eternal: if, therefore, the bill depended upon the truth of its declaration, it should not be a bill passed for a temporary purpose, but ought to be made a permanent law. This, however, was not the case with respect to the present bill; it was made use of as an argument for the moment, to take it in that light by way of justification of its enactments; but the bill itself was only an experiment to try how the people would bear it. If any part of the learned gentlemen's speech was attempted to be opposed to the reasoning of his honourable and learned friend, by way of answer or refutation, it was that which related to the construction that had been put from time to time by judges on the statute of the 25th of Edward III. Was the bill a measure to set that question at rest, as the honourable and learned gentleman had stated it? Was such a declaration necessary? If the honourable and learned gentleman thought so, would it not be necessary to bring in a bill to make that declaration explicit? Upon the necessity of making that declaration he might agree with the honourable and learned gentleman. "That the declaration of the honourable and learned gentleman and mine upon that law would be different, I have, said Mr. Fox, as little doubt as that we differ upon this; but the bill surely cannot be considered in the light of a declaration, because it is temporary, and says nothing upon treason as to the levying of war." With regard to the act of Edward III. he must make a distinction between an attack upon the natural life and political power of the king. He could easily conceive that any person, who should be guilty of an attack on the natural life of the king, that was to say, who had, by overt-act, proved that he compassed or imagined his death, should be subject to the highest penalty of the law; and yet that an attempt at the destruction of the political power of the king should only be deemed guilty of a misdemeanor. He knew it was a popular argument; he had conversed with many who urged it, and said, "Why, is it not absurd to say you will guard the natural life of the king, which, in a constitutional point of view, cannot be more important than the political power of the king, more than you will guard that political power?" In his opinion, that argument was wholly fallacious; because the laws of a state were not to be governed by the ideas of guilt, and in proportion to our feelings as to the mischief which might possibly ensue, but in proportion to the difficulty, or facility with which the object might be attacked. It was in this last view that the wisdom of our ancestors had framed the law of Edward III. They had said, that he who should,

by overt-act, prove that he compassed or imagined the natural death of the king, should be guilty of high treason. Why? Not because the natural life of the king could be more constitutionally important than the political power of the kingly office, but, as his honourable and learned friend (Mr. Erskine) had well observed, because the death of the king could be accomplished by one man who was wicked enough to determine on it; and this he could do in an instant with a pistol or a dagger, or in any other way; and therefore the legislature had done wisely to declare, that he who should compass or imagine the death of the king should be guilty of high treason. To such an act there ought to be the highest possible penalty annexed.

Mr. Fox said, he was ready to admit that the king's person was not so well guarded as he could wish, but it was as strongly guarded as it was possible to guard it by law. Guards of another description, indeed, he might have, but nothing of that sort was proposed by the present bill; and he trusted they never would be proposed by any parliament, because it would be highly unconstitutional. With regard to the political power of the king, he must observe, that although, constitutionally speaking, that was a still dearer and more precious object to them, yet there was no necessity of guarding it in the same manner; because, the destruction of the political power of the king could not be effectually attacked by one man, nor could it be accomplished, like the other, in one moment. Levying war for the destruction of government could not be the act of a single man, it must be the act of multitudes; it must, indeed, be a sequence of acts, upon which a government might wait with safety until something was done, instead of declaring that the compassing or imagining constituted the guilt, as the law declared in the other case. The difference was, in the one case the king might be assassinated by a single individual in a moment, whereas the constitution could not be assassinated but by a series of acts committed by a multitude of persons; that was the reason why our ancestors had made an attack upon the life of the king, a different offence from that of an attempt to subvert the monarchy. The distinction had been well marked by a common expression — "the constitution may be destroyed, but it cannot be assassinated."

Mr. Fox having thus observed on the wisdom of our ancestors with respect to the statute of Edward III. wished to say a few words with regard to the construction which had been put upon it. He might be asked, whether he approved of the construction which had been put by the judges upon that statute? He admitted the inferiority of his judg-

ment to that of those learned persons; he must, however, form it from the best lights he was able, and having done so, he had no difficulty in saying, that he did not agree with them according to the statement of the honourable and learned gentleman that night. If he were asked, whether he thought the judicial determination of the judges from time to time made part of the law of the land? he would answer, he was not competent to determine that question. This he would nevertheless say, that an act of parliament was a part of the law of the land, as interesting as the judicial determination of the judges, and often more intelligible to the mass of mankind; and it was and ought to be, of higher authority. If, therefore, there was a doubt as to the real meaning of the act of Edward III. he had no objection to a parliamentary declaration of the law in that respect; what that declaration should be, he would be ready to argue hereafter. For the sake of the argument, he would allow, that all the judgments which had been given by the judges were correct; and then he would maintain, that gentlemen on the other side had not proved, that this bill was not a material alteration of the law of the land; but that he would not enter into at that moment, but merely observe, that his honourable and learned friend's arguments upon that, as well as other points, had not at all been answered. Whether the point was to be given up, he did not know; but as it stood at present, it made conspiracy to levy war a substantive treason. [The Attorney General explained, that it only put under this description a conspiracy to levy a direct war, and not to levy an indirect war.] Then, continued Mr. Fox, the point is gained; if, in some instances, it made a conspiracy to levy war a substantive treason, and in others not, it was evident that a material innovation had been made. With respect to the construction of the law of Edward III. he had always thought, from what he had read from Hale, from Foster, and other authorities, and he had read their works with attention, that the point was clear, particularly the case of a special verdict. He conceived that when there were charges of levying direct war, stated as high treason, for deposing the king, they were always stated in that way, that they were overt acts, to prove the intention of compassing and imagining the death of the king; and, upon that, the question came to this: whether such acts proved the compassing or imagining? If that levying of war be of itself treason without the compassing or imagining, then a verdict that the defendant did so conspire and levy war, without saying one word of the compassing or imagining, would be a complete verdict, and whatever the opinion of the jury

might be with respect to the imagining the death of the king, the crime would be complete.

He would ask the honourable and learned gentleman one question. Suppose A. and B. had conspired to levy war against the king, and with hostile arms proceeded to depose the king, and that the jury on the trial should find the conspiracy and the appearing in hostile arms, but should find that there was no intention of putting the king to death, would the honourable and learned gentleman then say, that judgment should follow against the defendants for high treason as a consequence of law from that verdict? If the honourable and learned gentleman would boldly say this, then he would allow that his construction of the law of treason was a bad, and the learned gentleman's a good construction. Indeed, he believed the learned gentleman would not maintain that doctrine; and he believed too, that the very essence of the crime of high treason, was that of compassing and imagining the death of the king; and that if the jury did not find the compassing and imagining the death, the verdict would be null and void. Such, he maintained, was the law at present; but if the bill passed, that would not be the law; then the law would be, that the bare finding of such verdict as he had stated, would be sufficient to convict any person of high treason; and he would maintain, that it was extremely material to attend to that distinction. The subject ought to be protected in his rights upon all occasions; the House should, therefore, be extremely cautious in agreeing to any thing that encroached upon them; but, above all, in cases of high treason; they should not forget that, as the crime of high treason was a crime to which the highest penalty was attached, it was also a crime in which the power of the magistrate ought to be looked at with the highest degree of jealousy. In all other charges made by the crown against its subjects, the chief magistrate had no distinct interest in the conviction; but in the charge of high treason, he was to be swayed by considerations of a personal nature, and thence had sprung all the regulations of giving to the accused a list of the jurors and the witnesses, and all the various other checks which the wisdom of our ancestors had provided. These were not jealousies of his own, stated for the purpose of supporting the debate, they were jealousies of the law of the land, jealousies which had been shewn in a variety of instances, constitutional jealousies, that ought to be considered attentively by that House. They ought still further to be careful how they proceeded in a measure that abridged the functions of a jury; independent of other considerations, the bill would make a formidable invasion of the law: the

jury would not hereafter have to consider the mind of the person accused; they would have nothing to try but the fact stated in the indictment; the rest would be mere inference of law; and although the jury should negative the intention of putting the king to death, yet judgment must pass upon the defendant.

Mr. Fox slightly adverted to the history of the two acts, the statute of Edward III. and that of Charles II. which were referred to by gentlemen of the other side as the precedents that made the foundation of the present measure. The statute of Edward III. was the old constitutional law of treason. Its introduction had freed the jurisprudence of the country from much uncertainty; and it had, in no instance, been deviated from in later times without producing considerable mischief. The other act was brought in at the period of the Restoration, when the people were wearied of the evils they had suffered under the former usurpation, and were willing to throw all their liberties into the hands of the crown. Let the House look at the statutes, and recollect the prevailing spirit of that day. They would find that parliament, which the present was about to imitate, giving to the king a power to raise a military of his own, and money to pay them, which was to be applied afterwards without the consent of parliament. They gave to the king the power which they ought to have kept in their own hands; a scandalous negligence, and for which the people suffered most deplorably! That reign was a dreadful one to the people; infamous and detestable as that reign had been, if there was any one part of it that called for the execration of the historian more than the rest, it was the public prosecutions that had been instituted in the course of it. Englishmen had, indeed, the happiness to feel that justice had been administered in this country for a century past, in a manner more mild, more pure, and more independent, than perhaps in any other country upon earth for the same period; they ought nevertheless to take care not to copy the sort of laws that were enacted in those abominable times of blind submission. They were about to adopt laws similar to those passed in one period of our history. And what period? the period of the reign of Charles II., that period which of all our history was most abominable and scandalous in the administration of its justice; the most scandalous, perhaps, in the world, under all the circumstances of it.

With regard to that reign, one of its most remarkable features was, that the names of those who perished on the scaffold for high treason, were among those that were most dear to the recollection of Englishmen. He knew that

Sydney and Russell were not, indeed, tried by the statute which he had alluded to, the time being expired within which that law allowed them to be accused; but those eminent men perished on the scaffold for high treason. He said this to shew the general spirit of jurisprudence that governed this country at that period, and disgraced that reign. Those, therefore, who admired that reign, were not to look to its ministers or its judges, but to those who expired on the scaffold for high treason. The law which then was enforced, was such as the law under consideration was proposed to be; it expired, however, with the prince for whom it was brought forward. Richard II. was also a prince for whom such a law was enacted, and soon after he was deposed and assassinated. Charles II. had a long, and, as some said, a flourishing reign; but it was not flourishing in the mind of any man who really knew what a flourishing reign was. Was there any one who looked to the history of those times, to the unprincipled policy of the court, and the open profligacy of public measures, who did not consider it as a blemish on the English character, and a reproach to the spirit of our ancestors, that the reign of that monarch was suffered to be protracted till the period of his natural life? Were those auspicious times, from which to derive a precedent for their present conduct?

Two reasons had been adduced in favour of the present bill. The first he should dispose of very shortly. It was said to be a declaration of the meaning of the statute of Edward III. A declaratory act it could not be, because a declaratory act must be plain and simple; and, indeed, that part of the case had not been seriously insisted upon by the honourable and learned gentleman. The other reason was, the general prevalence of libels; and in proof of this, much had been said about the disposition of some people to treat all authority with contempt. It was true that a stone had been thrown at his majesty; but whoever attended to speeches upon that subject, would find how small a part of the people were concerned in that outrage, or tinctured with the disposition he had just maintained. The act, every body knew, was an odious and a detestable one; but ought the whole people of England to be deprived of their rights on account of that act?

The honourable and learned gentleman, Mr. Fox observed, had adverted to what passed at the Old Bailey last year. If the temper of some of the people had been seen to be so dangerous at that time, it was extraordinary that the measures then proposed had not been proposed sooner. The truth was, ministers had not an opportunity to suit their views till just at present. They took the advantage of the

generous indignation of the people at the atrocious outrage offered to his majesty, and, under pretence of providing against a similar outrage, were going to deprive the people of their rights. They turned the best passions of the people of England into a delusion, in order to deprive them of their dearests interests. He was justified in saying this; else why had not the bill been brought forward sooner? He could say much more upon this topic, but that he deemed it unnecessary, after the very able and eloquent manner in which it had been treated by his honourable and learned friend, (Mr. Erskine). With respect to the state trials, the learned gentleman contended that they had proved much, and that notwithstanding the persons indicted had been acquitted, the trials were calculated to produce a considerable effect on the public mind. So they certainly had, but not the sort of effect the learned gentleman would insinuate. In that acquittal he, for one, had already declared, that he much exulted, and he should ever continue to exult. That acquittal, in his view of the subject, tended to produce an impression of the happiest kind. If there were men to whom the constitution had begun to appear odious, that acquittal must have softened their animosity, and disposed them to regard it with a friendly eye; if there were others wavering in their sentiments, it must have had the effect to revive their attachment, and confirm them in the line of their duty, more than all the penal laws that the legislature could enact in a century. Even if those persons who had been tried entertained opinions hostile to the constitution — and he did not deny that in the societies there were some men of that description — still he considered it as a glorious event for the constitution itself, that those persons had been acquitted. Nay more, if even men, whose sentiments were hostile to the constitution, had found refuge from that strict and impartial justice which it administered to all, such an event he could not but consider as calculated to convert disaffection and enmity into admiration and applause. This he believed to be the real effect of these trials, although the learned gentleman made use of them in his argument, in order to shew a spirit of disaffection to the constitution in a considerable part of the people.

With regard to the other part of the bill now before the House, that which regarded the penalty of misdemeanour, it called for animadversions, as it referred to an offence more likely to occur often than the offence of high treason. The learned gentleman had urged, that it did not, in the first instance, create new misdemeanour; he did not know that it did; this, however, he knew, that it defined that which, by the law as it stood, was subject only to the penalty of misde-

meanour, to the penalty of felony, although it should not be stated in the indictment to be a felony. He wished to know, whether the provision in the late libel-bill would be allowed to apply to the new law, or whether the bill was not to renew the usurpation of judges upon the old law, and deprive the jury of the privilege of examining into the intention of the accused, and from that intention to find their verdict; or, were they to be left to find the dry matter of fact, and was all the rest to be in the hands of the court, to be disposed of as mere matter of law? The most material part of the case in this view was that which subjected a man for the second misdemeanour to transportation. How the honourable and learned gentleman would answer this he could not tell, but he was sure it was not in the power of human skill and ability to answer it satisfactorily. His learned friend (Mr. Erskine) had observed, that this description of offence was so wide and general, that by applying a sentence of equal severity whenever an offence was repeated, the same punishment might be made to include the most venial errors, and the blackest crimes. It was a great principle of justice, that the punishment should be proportionate to the offence; but by the regulation proposed, this principle would be entirely defeated. Would the honourable and learned gentleman say, that by the analogy of law a comparative distinction could be made between the second misdemeanour and the first? Was it not essential, that the distinction should be kept up between a misdemeanour and a felony? And was it not essential that there should be a proportion between the punishment for one and another misdemeanour? There were some misdemeanours of so slight a nature, that though a thousand times repeated, they would not, in point of enormity, be equal to one of a more serious description. Under the head of misdemeanours was defined, whatever might tend to excite hatred and contempt against the constitution. He, who complained of the inequality of the representation, and, in illustration of his argument in support of a reform in parliament, referred to a borough so and so situated, might, from the operation of this bill, be sent to Botany Bay for seven years!

I wish (said Mr. Fox) you had made it death; the punishment would not have been more severe; and your law would be better understood by it. Compare this with the most atrocious misdemeanour in cases that are not political. Suppose a man be convicted of an assault, with intent to kill his own father, and repeats it as often as imagination can suggest, still he will be punished as for a misdemeanour only, which is fine and imprisonment: but if he be guilty twice of insisting on the propriety of a reform in parliament, he may

be punished with transportation to Botany Bay! I have stated this case in the extreme, to shew the enormous disproportion which this bill creates in the punishment of offences. It was in the nature of the thing, he said, that misdemeanour should be punished by a discretionary sentence, and that it should stand distinct from felony; a thousand misdemeanours could not, by the spirit and genius of the law of England, amount to, or be punished as, a felony. That was to confound all the principles of our law. The sort of punishment which the bill enacted for misdemeanours was for the first time introduced into the country from the pretended law of Scotland; though such was the horror with which Englishmen regarded it, that when, some time since, it had been presented to their minds, it excited an universal sentiment of indignation. He called it "pretended law;" for he would never so far degrade Scotland, as to suppose it could really be the law of that country. Had any want of effect, he asked, been experienced from punishments formerly inflicted, because they were not sufficiently severe? He adverted to the case of Messrs. Muir and Palmer, men of enlightened minds, of respectable rank in society, of irreproachable morals, who, because they expressed themselves warmly with respect to what they considered to be grievances, were sent to Botany Bay, to associate, not merely with the lowest of men in point of rank, but with a description of persons so degraded and abandoned, that the necessity of associating with them under any circumstances, was a deep disgrace, and must itself constitute a considerable punishment. What effect did ministers pretend to say that had produced? Had it produced a greater reverence for the laws, or occasioned a cessation of those libels which were the subject of complaint? No; for they were told that libels had increased since that period a thousand fold. If, on the other hand, it had produced those effects, what necessity was there to resort to new measures? If it had failed, did not experience demonstrate the futility of again having recourse to a similar policy? But it was said, that in Scotland, where those measures had been adopted, no discontent existed. He believed the case was quite the reverse, and that the discontent really felt in that quarter was not the less because the expressions of it had been subdued by the terror of severe and unwarrantable punishments. If the state of Scotland was, as they pretended, they ought not at least to think of extending the penalties of the bill to that country. The best way to attach the people to the constitution, would be to preserve the mildness of its laws. Could the honourable and learned gentleman, or any of his friends, learned in the history of this country, point out an instance of such a punishment as that

which was proposed by the bill? He warned them against the policy of multiplying new codes of penal laws, and of accumulating oppressive restrictions beyond what the temper of the people could bear? But in answer to all this, they had been told, that the corresponding and other societies did such and such things; and he was applied to on a former night, by an honourable gentleman, who said, that he avoided stating his opinion upon those societies. He did not avoid stating his opinion. That honourable gentleman had asked him, what those societies meant? To that question he had answered, that he could not decisively say, because he believed there were some in that society who meant one thing and some another. He had distinctly said, that there might be a few persons in those societies hostile to the constitution, but the greater number he believed to be sincere in the object which they professed — a parliamentary reform. That there might be others who had different views he did not deny; but he could not separate the whole from a part; and therefore in the mass he gave them, as he thought he ought, credit for the sincerity of their professions. Such he should always give to large bodies of people. There had been long established in this town a society against what were called republicans and levellers. What was his opinion of that society? The same as his opinion was of the corresponding society; that they were in a mass sincere in what they professed; that they were in favour of the constitution. Did he believe that one of them wanted to overturn the monarchy of this country, and the other to make it absolute? No such thing; he gave them each credit for being sincere in preserving the constitution; the one dreading one event, the other dreading the opposite event. He knew none of the leaders of the corresponding society; he however knew the leading member of the society against republicans and levellers; he knew Mr. Reeves. He knew he had published libels after libels, attacking the constitution; that he had, year after year, circulated such publications; that he had circulated a pamphlet, a direct libel on that House, in which it was said that rotten boroughs, extravagant courts, selfish ministers, and corrupt majorities were essential to the well-being of the constitution of the country. The conclusion to be drawn from such abominable doctrine, he did not ascribe to every man in that society; the greater number he believed to have united, in order to guard the constitution against a danger, which they supposed to be pressing and imminent. The few who took advantage of their fears for the constitution, in order to forward their own designs for its destruction; of those he judged from their actions. He knew that, with respect to those societies, there were

violent opinions on both sides; but he saw Mr. Reeves's society with as much industry, and with more means, because with more money, circulating such doctrines as were contained in the sentence he had just quoted; he saw circulated by the same authority a book called "John Bull to Thomas Bull," and he saw such doctrines accompanied with incendiary handbills against the protestant dissenters, and fraught with every species of gross and inflammatory misrepresentation. He saw, on the other hand, libels ascribed to the corresponding society, so monstrous, that he could only compare them with the others to which he had referred; with this difference, that when it was proposed to enquire into their authenticity, the proof was denied. He would say, therefore, that those who professed that they had no other aim but a reform of parliament were in earnest in the mass, as he said of the society against republicans and levellers, and he saw no ground for a parliamentary provision against the mass of either society, although individuals among the members of each of them might deserve censure,

His two principal objections to the bill, Mr. Fox repeated it, were, that it narrowed the power of the jury in cases of treason, and that it provided for misdemeanours a new punishment, which would apply with undistinguished severity to the greatest and least degrees of delinquency. The honourable and learned gentleman had stated the increased and increasing number of libels as a justification of the present bill; some of these libels, he understood, had been punished pretty severely; and the publishers, who might have been in their beds at the time the books were sold, and who at any rate had only been in the exercise of their business, without being aware that they were committing a breach of the law, had been confined for two or three years. Some had been convicted on the oaths of witnesses notoriously perjured. One man had been convicted and punished at Manchester, on the oath of a person named Dunn, who was afterwards proved to be guilty of perjury, and another upon the same evidence at Lancaster.

It had been said by the honourable and learned gentleman that libels were so numerous that they could no longer be prosecuted. Was he satisfied that the severity of the bill would infallibly diminish their numbers, or that he should be able more safely to apply the new law than the old? If there was a spirit of discontent so widely diffused in the country, and still likely to increase, arising, as he verily believed, from the bad administration of public affairs; and as the honourable and learned gentleman thought from the obstinacy and perverseness of the people; it would be proper, in order to stop

the progress of the evil, to send whole fleets of libellers to Botany Bay. The honourable and learned gentleman had spoken of libels against the king and other persons. His opinion was, that libelling the king and individuals had not been sufficiently punished. He would prosecute with the utmost severity, all libels on the characters of persons, with whatever party they were connected. The most exemplary rigour of that sort he would connect with equal temperance in respect to libels of another description. He would punish whatever reflected on the dignity of the chief magistrate, or the fair fame of individuals; but all political libels he would leave to themselves; discussions on government, so far as they did not interfere with private character, he would permit to pass entirely unrestrained; that was the way to make the press respected and useful; and he was convinced, that if this policy had been adopted sooner, things would not have been in the situation in which they were at present; but such was not the object of the bill; the chief point which its promoter had in view was to terrify the people from making free with him under the name of government. Mr. Fox concluded with declaring himself against the principle of the present bill. He should therefore vote against the Speaker leaving the chair. If another bill should be brought in less exceptionable in its clauses, and better calculated to answer the purpose in view, he should have no objection to give it his support.

The House divided on the question, That the Speaker do leave the chair,

	Tellers.			*Tellers.*	
YEAS	Mr. John Smyth Mr. Anstruther	203.	NOES	Mr. Whitbread Mr. Jekyll	40.

December 3.

A debate took place on the third reading of the seditious meetings bill. The bill was supported by Mr. Hardinge, Mr. M. Montagu, Mr. Powys, Mr. Abbot, and Mr. Dundas; and opposed by Mr. Sheridan, Mr. William Smith, and Mr. Grey. Mr. Abbot concluded his speech with these words: "It must ever live in our memory, for the words sunk deep into our minds, that the right honourable gentleman, whose words are still unexplained, (Mr. Fox,) did openly declare, 'that if these laws should be ratified by the royal sceptre, and the people of England should afterwards ask of him, what they ought to do? He would tell them: '*It is no longer a question of duty, it is no longer a question of moral obligation; it is a question of mere prudence alone, whether you should obey or resist.*' I endure the painful task of repeating these words, only to ground a representation to that right ho-

nourable gentleman who so spoke; and I conjure him to speak out again, in terms not ambiguous, nor oracular, but plainly and distinctly; '*Whether now, if these laws, amended as they are, shall be passed, he will again repeat his signal to the inquiring people of England, and bid them unfurl the standard of rebellion?*'

Mr. Fox immediately rose. He said he was called upon in a very polite and civil, but at the same time in a very unparliamentary manner in that House to account for his conduct. The honourable gentleman might have taken notice of the whole that he had said on a former night. He would then have afforded him an opportunity of restating his words if they had been misconceived; upon all this he had no particular complaint to make; he should only say, that the practice of attacking a member of parliament for what he said on former occasons, in that general manner, was wholly new in the course of parliamentary debates. That any individual member, for he made a difference between such a character and a member of his majesty's council, should be thus called to account, was very extraordinary, and what the honourable gentleman, when he had taken more pains to become acquainted with the usages of the House, whatever abilities he might display in his speech, and however politely he might conduct himself, would not he was persuaded frequently practise. Indeed, there was hardly any part of the speech of that honourable gentleman which, in former times, would have been suffered to be delivered in that House. He wished to know whether it would be of advantage to the proceedings of that House, that the sentiments of every individual, and every part of his parliamentary conduct should be the subject of particular debates, unless part of that conduct was such as called for the particular cognizance of the House? He knew there was a species of artifice, of which he did not accuse the honourable gentleman, to call on individuals in advanced stages of debates upon a bill, to explain what they had formerly said, and this was done with a view of making it impossible to have a fair debate. This he had experienced more than once; he hoped however he possessed a temper that was not to be discomposed by such an artifice, and at the same time not to be damped by any species of catechism.

The honourable gentleman had asked him questions, with regard not only to expressions which he had used on a former debate, but also with regard to his former conduct; and he seemed to think he had a right to know why he did not attend the committee on the present bill. He thought he had told that honourable gentleman and the House already his reason for his non-attendance. He would repeat it. It was

because the principle of the bill was so detestable, so radically vicious, and so dangerous to the constitution of this country, that he believed it to be impossible to amend it to any good purpose. He did not wish to gild a pill which contained in its essence such a noxious medicine. He wished to speak plainly upon such a subject, and he scorned to defend himself by any species of garbled explanation. He believed that he was not singular, nor were those with whom he acted singular, in abstaining from the committee upon this bill. He would ask gentlemen who were so forward to put questions to him upon this occasion; nay, he would ask those who were the most forward to countenance the practice, but who did not choose to come forward themselves with such catechisms, whether they did or did not attend the committee on the India bill, which he had formerly brought forward in that House? Whether they had attempted in a committee to gain something in that bill for the East-India company? It was well known they declined altogether to attend that committee. Why? They stated, that they conceived the principle of the bill (whether right or wrong, was another question,) to be so bad, that they would not endeavour to amend it in the committee. Let him ask the right honourable gentleman and the majority of that House, who seemed to have forgotten the conduct of the minister and his adherents upon that occasion, whether they would not then have blamed him if he had asked them whether they did not think that their country would regard them as acting with partiality? But he never thought of censuring the right honourable gentleman for his conduct on that occasion, or of inquiring into the grounds of his secession. He put it to the candour of the House, if it was worthy of the the character of gentlemen, or if they imagined that the country would really consider those as honest men, who attacked the same measure in one man, which they applauded in another, merely because he had the influence of the crown at his back, and because he had places and pensions and peerages to bestow? In his own opinion, such conduct reflected as little credit on their honesty as patriots, as on their understandings as men. He knew the honourable gentleman to whom he alluded to be versed in the proceedings of parliament, and with the knowledge which he possessed he certainly could not be ignorant that at one time there was a regulation that no one who disapproved of the principle should attend on the commitment of a bill. The rule, however, had not, of late, been rigidly observed; nor did he himself wish to observe it in every instance; there might, indeed, be cases in which he disapproved of the principle of a bill, and yet might be induced to attend the detail of it in a committee. But

then it must be such a bill as would be capable of being modified by amendment, so as possibly to produce some good. With regard to the present measure, he was clearly of opinion, that no amendment whatever could make the bill safe, wise, just, or in any sense constitutional.

With respect to the other points, which the honourable gentleman had stated against him, and on which he had been so much catechised, although he disapproved of such a mode of debate altogether, as a personality, it did him no injury, because he never had expressed an opinion, in that House or out of it, which, if he had reason to alter, he was not ready to retract; or to which, if he still continued in the same opinion, he was not willing to adhere. The honourable gentleman had said, that he had explained away at one time, what he had said at another. He would ask that gentleman, whether this was a fair charge, whether it was correct in point of fact, whether it was candid in point of inference? That honourable gentleman had stated certain words of his, but had omitted to accompany those words with the reason which followed them. The honourable gentleman had charged him with stating a certain doctrine, to which he was still ready to adhere; the honourable gentleman, however, had omitted to accompany that doctrine with the application of it. He would ask that honourable gentleman, was it in reality to the doctrine, or the application of it, that he objected? He thought a just, or a candid, or a wise man, would have endeavoured to understand the distinction between a doctrine in itself dryly laid down, and the application of that doctrine. This applied to what he had formerly said, when he had stated what it was that would justify resistance on the part of the people of this country. He never said any thing upon that topic, which he was not prepared to defend; and what he had asserted from principle, he would scorn to explain away from caution. He was ready, therefore, to repeat the doctrine he had stated to its full extent, and he would repeat, that neither lords nor commons nor king, no nor the whole legislature together, were to be considered as possessing the power to enslave the people of this country; they might separately or unitedly do such acts as might justify resistance from the people. Was this doctrine false? Was it necessary to urge any argument to support its truth? It was a doctrine which he had learnt from his early youth. He had been taught it not only by Sydney and by Locke, but by Sir George Savile and the late Earl of Chatham. Had he any fear upon uttering this doctrine? Yes; one fear he confessed he had, and that was, lest some persons might imagine that he was too pusillanimous to maintain this doctrine without referring to autho-

rity to support it, and that he might be considered as a slave to authority. To avoid this, he would state, at once, that, if there was no authority to support it, he would maintain it by himself. He was not singular, however, in that opinion; for he believed that every man who really valued the principles of our constitution, entertained the same sentiment; and this had been eloquently expressed in a celebrated sermon recently preached by Dr. Watson, the present Bishop of Landaff.

Mr. Fox said, that he himself had no such idea of the omnipotence of the whole legislature of the country, as to suppose that it could not so conduct itself as to justify the resistance of the people. It was more necessary than ever to maintain this doctrine; since it had of late become the fashion in that House to refer to precedents in the slavish reign of the Stuarts. It seemed that some gentlemen were extremely fond of reviving doctrines that were popular in those abject times. Many men, of slender talents, had been encouraged by the countenance which that eloquent man, and great genius, Mr. Burke, had lately been supposed to give them. He lamented that talents so brilliant should have been so employed; they had contributed, in a great degree, to render odious principles palatable. He trusted, however, that the spirit, the energy, the vigour of the English character, was not to be depressed; and that there would be always found in the country men bold enough to assert, aye and to maintain also, that king, lords, and commons, uniting to compose a legislature, might so conduct themselves as to justify resistance on the part of the people. Did any man say, or would any man maintain, that they were so omnipotent that nothing which they did could justify the resistance of the people? He believed there was not one, amongst the most base, contemptible, and servile of mankind, who was yet prepared to state, that the people could, in no case, be justified in resistance, even to the whole legislature.

He came next to the application of this doctrine, which, for some strange reason or other, those gentlemen who accused him, had totally omitted in the course of the late debates. In referring to that, the House would do him the justice to recollect, that when he spoke of resistance, he did not speak of actual resistance, or the propriety of it at the present time; he only stated it as an argument, to shew that it might be just; and he observed, that it ought to be considered attentively by that House, when they were passing a bill, which, if all its provisions were enforced, after the declared sense of the majority of the people was against it, might provoke that resistance. He was sure that the House would also do him the justice to recollect, that he urged it as an advice to the governors, not an incitement to the governed. Let gentlemen,

then, not mistate his words, or the meaning of them, nor misrepresent them again. He was not, he said, surprized at the misrepresentation that had taken place; since the same thing had happened with regard to the words of his honourable friends upon the same subject, and particularly those of his honourable friend (Mr. Sheridan,) who had been accused that night of having recommended passive resistance. In that case, he must declare, that his honourable friend had been very unfairly treated. He had not recommended resistance, either passive or active; he had more than once or twice, in discussing the subject of resistance, stated, that if there should be any persons determined to make resistance, the mode he should recommend them to adopt would be that of a passive nature. That, however, as well as other expressions, had been taken without the qualifications by which they were accompanied, which marked too plainly the sort of candour that was shewn to himself and his honourable friends. But, after inflicting the most cruel wounds upon the constitution, the only resource which was left them, was to cover their conduct by misrepresentation, and of this resource, he allowed, they availed themselves in its utmost latitude.

Mr. Fox said, he was not a correct measurer of words; but at the same time, when his meaning depended upon the precise expressions which he employed, he did not chuse that his words should be misrepresented, or, what was the same thing, partially given. The honourable gentleman had stated, that on a former evening he had shortly said, that if the present bill should pass into a law, resistance would no longer be a question of duty but of prudence. This he certainly said, but he would have it recollected that he said a good deal more. His expressions were, that *if the bill now before the House should pass into a law, contrary to the sense and opinion of a great majority of the nation, and if the law, after it was passed, should be executed according to the rigorous provisions of the act, then, in that case, resistance would not be a question of duty but of prudence.* These were the words which he had used, and from which he would not now depart. And if the general doctrine was admitted to be true, and if it was the opinion of the country, that the bill was a direct invasion of the rights of the subject, and a daring attempt to subvert the constitution, the application of the doctrine could not be false. The nature and tendency of the bill was the point at issue between him and the honourable gentleman; and upon this point the House was now called upon to decide. He had laboured to prove that it not only struck at the out-works and bulwark of the constitution, but that it struck at the very vitals, and went to undermine the pillars upon which the fabric rested.

This he had not only stated as an opinion, but he had argued it in different stages of the bill, and though he had not been so fortunate as to convince the House, it was neither arrogance nor presumption in him to affirm, that his arguments were completely satisfactory to himself, and that they never had been answered. And if the House consented to any bill, the real effect of which was to give a mortal stab to the constitution, he could not understand how any man could deny, that resistance on the part of the people involved only a question of prudence, and not of duty, if it was at all their province to guard it from danger, or to repel the assailant. The honourable gentleman, however, was not content with imputing to him the decision on the question of right, he also thought fit to make him decide upon the question of prudence, a question on which he had left the people entirely to determine for themselves. In talking of resistance, however, he must again observe, that he could not recommend it; for prudence, in his opinion, dictated quietness to mankind under many severe oppressions. There was a maxim from a celebrated character of antiquity, of which he was fonder at this time than when the ardour of youth had greater influence on his passions. The more he thought, the more he was convinced of the philosophy of the maxim, *Iniquissimam pacem justissimo bello antefero.* That appeared to him to be one of the wisest sayings of that wise man, and it expressed his opinion upon the point of prudence in these cases. He must also add, that if the people of this country, who felt that they were called by Providence into a free state, should revolt at such a measure as the present bill, he should not wonder at it. If they saw a conspiracy against that liberty which made them happy, a conspiracy proved, as it was, by the bill—for the bill repealed the bill of rights, and reduced Englishmen to the character of slaves—he should not wonder if they resented it. If, therefore, regardless of the maxim which he had just quoted, the people of England should be so unwise as to commit acts of resistance, ministers might condemn them, parliament might condemn them, the law might condemn them, prudence might condemn them, but he believed no good man could ever accuse them of moral guilt.

The honourable gentleman had been pleased to accuse him roundly for sentiments which he had uttered on a former night, and which he now repeated. He would ask that honourable gentleman, if he approved of the names of Sydney and Russell? Were they dear to that honourable gentleman? "Dear to me they are (said Mr. Fox); dear is their very name; dear to this country are the descendants of the illustrious Russell. I see the spirit of that great man at this day

animating his descendant; I see a man of high rank, splendid talents, and patriotic spirit, emulating the virtues of his ancestor: I admire his principles, they adorn his character, and will I hope be rewarded with glory. I say he emulates the virtuous principles of his ancestor. Perhaps, some people in this country wish he may share his fate. I, assuredly, have no such wish; but I have hopes, when I see the descendant of the illustrious Russell possessing the spirit, the patriotism, the fortitude, and the perseverance of his ancestor, that he will be rewarded in like manner by the affections of an admiring people. Why do we admire the great characters of Russell and Sydney? Is it because they were unjustly condemned? Certainly they were unjustly condemned, for they were condemned illegally, on defective evidence, and against law. But although they were thus condemned, is there a man this day who has read their history, and does not believe they had in contemplation a resistance to the prince then upon the throne? Why do we admire them then? The simple injustice of their execution could have reflected disgrace only upon their accusers, and their judges. No; it is because we know they had that resistance in contemplation; that they were determined to resist principles which then prevailed; principles which were odious to the people of this country, much too nearly resembling some modern doctrines among ourselves: they found the law insufficient, and they endeavoured to bring about a revolution favourable to the liberties and rights of Englishmen; and if this be the cause at present, the question is still nothing but a question of the application of the same principle. These are the reasons why we admire the characters of these great men, and admired they will be while a spark of liberty animates the bosom of an Englishman." These, Mr. Fox said, were his sentiments; and he would maintain them to the hour of his death. If others, who heard him, did not approve of them, let them use what arts they pleased to blacken him in the opinion of his countrymen; he would still persevere; for he knew he had pronounced principles, independent of which his present majesty never could have been placed upon the throne of these kingdoms.

He wished it again to be understood, that he did not mean to shelter himself under the authority of names; he spoke for himself; but he could not here help referring to the venerable Earl of Chatham's speech on the American war. That great statesman had said, "that he rejoiced the Americans had resisted." A noble sentiment! and although he differed on other points from that illustrious man, he would say, that in that event he rejoiced also; for considering the point which was then at issue between America and this country, he had rather

that America should be independent of Great Britain, than that, by the meanness of her servitude, she should have infected this country by the baseness of her own slavery. Upon that occasion Lord Chatham had said, in his own peculiarly emphatic strain, "rather than slavery should be established, let discord reign for ever;" and "old as he was, he wished to see the question tried between government and the people." The phrase was, perhaps, a little harsh, but the principle was excellent. He was sure he had heard similar sentiments from the late Sir George Savile. But after all, he would beg leave to say, that, of all the attacks to which he knew he was exposed, there was but one he feared; that of incurring the charge of pusillanimity. He must therefore again say, that, from the course of his education, from the disposition of his mind, and from the principles he had uniformly maintained, in that House and out of it, he should be a fool if he did not believe these principles to be true, and a coward if he did not profess them.

Mr Fox then adverted to another article of charge, which had been brought against him; namely, withdrawing from the committee on the bill. The motive which had been ascribed to this proceeding was very extraordinary indeed. For how the honourable gentleman could make out, that he had obtained a triumph over his rival by withdrawing from the committee, he could not conceive. Had he attended, and persuaded the House to alter some of the most obnoxious clauses, then with some justice, perhaps, he might have got the credit of a triumph; but it was the first time he had ever heard that to absent one's self from a debate was the way to obtain a victory. But, when he attributed his conduct on that occasion partly to another motive, which was, that the bill might go into the country with all its faults upon its head, the supposition was not so incorrect, and, as far as it imputed a crime, he would plead guilty to the charge. He confessed that he wished the bill to go abroad in its native deformity, as it was impossible for any amendment to render it worthy of retaining a place in the statute books of the kingdom.

On the different clauses of the bill he would not enter much at large, after the eloquent and irresistable speech which had been delivered by his honourable friend, no argument of which had ever been touched. There was only one or two points on which he wished to make a few remarks. It had been contended by a learned gentleman (Mr. Hardinge), that not only meetings which were really dangerous ought to be stopt, but that all meetings whatever, whether the debates were inflammatory or argumentative, ought to come within the operation of the bill. The learned gentleman saw that it was impossible

accurately to draw the limits between one speech that was merely argumentative, and another which might contain some appeals to the passions, and therefore he wisely confounded all those trifling distinctions, and brought both within the reach of the law. For instance, were he, in a public meeting, to state coolly and dispassionately, the inadequacy of our representation, and the disproportionate influence of Old Sarum to some large and populous towns, in choosing their representatives, he might be taken up for sedition, a justice or magistrate might dissolve the meeting, and, on their refusing to disperse, he might call in the military to murder them. With respect to the conduct of magistrates, he had little to add to what had been said by his honourable friend. He had received a letter, however, that day, from a most respectable magistrate, who held that office much to his honour, and the benefit of the place in which he resided, in which he expressed his terror at these bills. Heretofore, men of different political principles had held the office of magistrates together, and, forgetting all private opinions on politics, had united in consulting the interests of the poor, and in forming plans for their relief; whereas, henceforward they would be forced to depart from their civil capacities to decide controversies between Mr. Burke and Mr. Paine. In short, it would be almost impossible for two men, differing in their political sentiments, however honest, however expert, however useful in their office they might be, to be in the same magistracy. They were directed by this bill to check the progress of sedition in popular meetings. How was it likely they should, for any length of time, agree upon the propriety of interfering their authority, unless they were all of one opinion?

In the course of the debates upon this subject, it had been taken for granted, that the preamble of the bill was a proof of the object of it. That was a curious way of taking a point for granted; it never could be taken as a thing that was true of course, and he did not believe it to be true in this instance. The preamble of the bill talked of seditious meetings. A learned gentleman had said, that as to the intention of these meetings, he had evaded the question. That learned gentleman had asked what these societies were? A pretty comprehensive phrase, "corresponding and other societies!" He had said, on a former occasion, that some of them meant one thing, and some another. The learned gentleman had said that was Scrub's answer. He really did not care whether it was Scrub's answer, or the answer of any other person; it appeared to him to be the only good answer which a man of common sense could make. Where there were a great number of men, there must of course be a variety of sentiments, and upon that he must refer to the observations

already made by his honourable friend. The general principle of every society he took to be that which it professed. He knew it might be said, that the language which was held forth on behalf of these societies was moderated in consequence of the course which parliament was then taking. The general principle of every society he took to be that which it professed. It had been said that Thelwall had lately become more moderate, and that his moderation proceeded from terror of the strong measures now threatening to be adopted. He could not speak to the fact; but if it was as had been represented, he rather supposed that any improvement in moderation had been owing to the prosecutions being suspended by the attorney-general. For he was convinced, that lenient measures would be more effectual than violent steps, in subduing those who were disaffected to government. Mr. Fox denied that there was any ground for the calumnious allegations advanced against the meeting at Copenhagen-house. The meeting had assembled in a legal and constitutional manner, for the legal and constitutional object of petitioning; but if there were a few individuals intent upon desperate designs, that was no reason for throwing out a general aspersion against the whole body. In great meetings he always conceived, too, that their ostensible object was their real object, because it was impossible to bring twenty or thirty thousand persons to practice dissimulation in unison. He would ask any gentleman to shew him the probability of a person holding forth, in a very large popular assembly, any doctrine that was not agreeable to the real feelings of the mass of that society? He would ask any gentleman to give him proof that the proceedings even at Copenhagen-house were in any degree seditious, and to shew him that the meeting there had any idea of recommending an attack upon his majesty? The petition presented to that House contained sentiments of a different nature. He would ask the attorney-general himself, if he knew of any proceedings at that place which called upon him to institute a prosecution? What they had done upon that subject could not have been blamed in the bad reign of Charles II. whose shameful example they were at this time so fond of servilely imitating. They had not gone beyond the limits which were then prescribed to those who wished to petition the king. He did not know that these proceedings opposed in the slightest degree, the sentiments of those who censured Jeffreys and impeached North. He did not know that they had done any thing illegal; and he could not presume the proceedings were seditious, merely because it was so insinuated in the preamble of the present bill. He knew that to take any thing for granted, without evidence,

was contrary even to the principles laid down in the slavish reign of Charles II. and directly contrary to all the principles of our constitution. But gentlemen, when they talked of seditious meetings, adopted general terms — "these societies" — by which they converted them as it were, into a species of body corporate of sedition. Now, instead of considering them as a body corporate, he considered them just as he did every other large body of men, as consisting of some good and some bad persons; and the mass of that body he considered to be good. Such he had considered, and had more than once stated to be, the body of the society of which Mr. Reeves was president. He knew, indeed, that some of the publications of that gentleman, as also those of Mr. Arthur Young, were directly hostile to the best principles of our constitution, and that they had been circulated with a mischievous avidity; he was, nevertheless, willing to allow that the mass of that society were what they professed to be, namely, friends to the constitution of this country, as consisting of king, lords, and commons. Precisely the same did he think of the London Corresponding Society. By the way, there fell into his hands very lately a pamphlet which contained much admirable reasoning; it was stated in the form of a dialogue, supposed to have been supported by two opposite characters, the one a friend, the other an enemy, to the London Corresponding Society. The enemy says, "I hate the society because it has for its object the destruction of all monarchy." The friend says, "Have you found any thing of that kind in their proceedings?" "No," says the other; "they are too cunning to profess that." "What," says the friend of the society, "were the 30,000 men all cunning?" Now, Mr. Fox said, he fell very much in with this sort of reasoning, on behalf of the society, because he believed it was very difficult to collect together at any time, or at any place, 30,000 men, all of them so cunning as to conceal their real object.

In proposing the question the other night to the promoters of the bill, as to their opinions upon the effect it was likely to have upon all societies, Mr. Fox declared he had not done so for the purpose of endeavouring to amend the bill, but merely to get, if he could, at the opinion of its authors as to the probable extent of it. It had been contended, that the sense of the people of this country was not averse to the passing of the bills. If they had eyes and ears, he could not conceive how they could ever maintain such a proposition, which the experience of every day demonstrated to be false. And if they had lost the use of their senses, it was not to be expected that he could make up the loss by any arguments which he could adduce. Peace was said to have been the

charm which wrought upon the populace to make them sign petitions against the bills; but, were not loyalty to the sovereign, and the support of the constitution as popular words as peace, and were they less frequently or less artfully used to procure signatures to petitions of a different nature? But, if gentlemen were willing to be deceived, in God's name let them be deceived. If they would shut their eyes, let them persist in their error. The opposers of the bills had also been accused of misrepresentation; but he would ask on whom the suspicion of misrepresentation was most likely to attach? The accusers would not admit a day's delay, in order to rectify these misrepresentations: whereas the accused wished for nothing so much as for a little delay, to compare their representations with the fact. With regard to what had been said upon the general opinion of the public upon this measure, he believed it to be, in the true sense of the phrase, as clearly against the general sense of the people of the country, and as entirely unpopular, as any measure that had ever been brought before parliament. That he was sure would be evident to every unprejudiced man in the kingdom. Upon looking at the petitions which had been presented, and stated to be in the nature of approbation of the bills, scarcely one would be found directly to approve of them. They prayed generally for such measures as the wisdom of parliament might adopt, and were founded chiefly on an idea on which there could scarcely be two opinions in the country, namely, that of congratulating his majesty on his fortunate escape from the late daring outrage upon his person.

With regard to the general topic, that the present were fit times for temporary restrictions upon popular rights, his opinion was directly the reverse. He thought that the people of the country were more enlightened at the present period than ever they had been, and that they could be more safely trusted with liberty than the inhabitants of any other part of the habitable globe; because, the better they understood the principles of liberty, the better use would they make of them, and consequently the more and more might and ought they to be trusted with liberty. When gentlemen, therefore, asked him what measure he would adopt to prevent confusion, he would answer, "meet the evil; reform those who are adverse to your constitution by reforming its abuses; reform — I do not say upon what system, that may be discussed hereafter — but reform the representation of the people in this House: keep your word with the public: tell them they may safely confide in your promise: proceed immediately to the abolition of that infernal traffic the slave trade: shew them the constitution of this country in its perfection: shew them that it

is favourable to the principles of liberty, and then your enemies will be so few that you indeed may despise them. These, Sir, are the points by which you will preserve the constitution of this country. I know that liberty is the greatest blessing that mankind can enjoy, and peace the next; but, from the experience I have had of the human character, and particularly of the people of England, persuaded I am that this bill will drive the people to this alternative; they will feel that peace and liberty cannot be enjoyed if the provisions of this bill be enforced. If the provisions of this bill be still obstinately endeavoured to be carried into effect, the attempt will disgrace our government. I know that some persons are of opinion, that, if this bill be not passed, government will be disgraced; and I believe that some of the promoters of it are of that opinion, and therefore wish to pass this bill; but that they do not intend to act upon it. I think that would be next to throwing out the bill. As for myself, said Mr. Fox, let gentlemen catechise me as much as they please; let them spread papers, stating me to be the enemy of my country; let them blacken me as much as they please; let them even be successful, if they can, in their endeavours to make me odious to my countrymen; still will I persist in doing my duty to the public, and never relinquish it but with my life. I am not vain enough to suppose, that any efforts of mine have contributed much to the spirit and the energy which has been manifested in this country; I should be proud to think they had; I should be glad to learn that any efforts of mine had contributed to awaken my countrymen to a sense of the value of their own freedom. A great orator, whose chief defect has frequently been stated to be vanity, has said, *Nobile jusjurandum juravi, ne quid omitterem ut Respublica denique salva sit.* That is far from being my opinion of myself: but ambitious I am to preserve the liberties of my country. I have therefore opposed these bills; and I trust the spirit of the country will resent them, especially as they are avowedly only a part of what is intended for them by those ministers, who have brought on the present distresses of the country.

The House divided:

	Tellers.			*Tellers.*	
YEAS	Mr. A. Neville, Mr. Steele	266.	NOES	Mr. Sheridan, Mr. Whitbread	51.

December 10.

The motion for the third reading of the treason bill was this day strongly opposed by Mr. Harrison, General Tarleton, Mr.

Western, Mr. Sheridan, Mr. Maurice Robinson, Mr. Jekyll, and Mr. Fox; and supported by Mr. Alderman Newnham, Sir W. Pulteney, Mr. Hawkins Browne, Mr. Jenkinson, the attorney-general, and Mr. Pitt.

Mr. Fox said, he entirely agreed with his honourable and learned friend (Mr. Jekyll) in thinking that there were no terms of reprobation and contempt too severe for the two important bills which ministers had brought, on the sudden, into parliament. After hearing several speeches of the learned attorney-general with all the attention of which he was capable, and after examining minutely the amendments which the present bill had undergone in the committee, he confessed that at that moment, as much as ever, he was disposed to object to every tittle and clause of it. He still retained the same objections against the clauses relative both to sedition and misdemeanor that he had ever entertained. He was prejudiced against the bill from its very preamble. An outrage had been committed upon the person of the sovereign, and a new enactment was made, not for the better security of the life of the king, for that was impossible, but to constitute an attempt to overawe the Houses of parliament into a substantive treason. He was told that the present bill was merely declaratory; and he was told, at the same time, that it was merely temporary: now, a temporary declaratory bill, he had no hesitation to pronounce an absurdity, and a contradiction in terms.

That the bill went to create new treasons had been confidently denied; he must, however, affirm the direct contrary, and assert that it did create new treasons, if it was admitted that there was any difference between an act being high treason, and an act being only evidence of high treason. At present, an overt act was an evidence of high treason; but by the provisions of this bill, those acts which were before only evidence of treason, became in themselves substantive treasons. And if new substantive treasons were created, new constructions would be made upon these treasons; so that not only all the constructions of the present statute would be constituted into substantive treasons, but new constructions would arise upon these new created treasons, which would perplex the statute to a degree that would render it impossible to be fairly understood. He had no objection to a declaratory bill, explanatory of the statute of Edward III., by which it might be reduced to its plain, simple, and original meaning. The present bill, however, he did not consider to be by any means calculated for that purpose. It was, indeed, the fashion to say, that it was necessary to give some additional security to the person of the sovereign. He would nevertheless con-

tend, that it was not the natural effect of the extension of penal laws to confer security; and he appealed to the history of the world for the truth of his opinion. He asked, if ever there was an instance in any country in which the sovereign, whether he was individual, or whether that power was deputed to an assembly, was indebted for security to the severity of a penal code? He called upon the House to look into the history of the bad times of the world, and to compare his observation with facts; and, if they were not satisfied with that comparison, he desired that they would judge of it upon the experience of more modern times. Was the overthrow of the primitive monarchy of France owing to lenient laws, or a lenient execution of those laws? And when the government of France was overturned, was the fall of Robespierre owing to the gentleness of his principles, or the mildness of those laws which he had framed for the purpose of protecting his person? If they looked to the assassination of the King of Sweden, would they attribute that event to the extension of liberty, or to an unusual licence of speaking and of writing? Or would they not rather ascribe it to the enraged fanaticism of the people, at seeing themselves deprived of those liberties in which they were born, and under which they thought they had a right to live? From what time were the regulations of the present bill borrowed? Were they not copied from the reign of Charles II., a prince against whom, certainly, not the fewest personal attacks had been directed.

As far, then, as the bill respected the law of treason, in his opinion, it created new substantive treasons, by constituting an attempt to overawe the parliament an overt act of treason. What was to be construed an attempt to overawe the parliament? Did the framers of the bill intend that an attempt to overawe the parliament, by the violence of prayer and of petition, should be considered as an overt act of treason? But, if they meant to affix the penalty to hostilities directed against parliament, the provision, he considered, as superfluous, as it would be impossible to wage hostilities against either house of parliament, without, in the first place, making an attack upon the person of the sovereign. It had been stated, that a convention had met for the express purpose of overawing the legislature; but of this he had never heard any proof. He had some material objections to another clause respecting treason, which had been somewhat altered in the committee, but which in some respects had not been altered for the better. The clause to which he referred was that in which "writing or overt act or deed" was mentioned. The word "other" was put out, but he could not understand what

was meant by the words which were suffered to remain, for if there was either sense or grammar in the expression, something else than an overt act was meant. And if writing was, contra-distinguished from an overt act, to be considered as a substantive treason, he demanded with what propriety, or upon what grounds it was declared, that the present bill was merely explanatory of the statute of Edward III.?

Having said this much upon the treason part of the bill, which he thought the least objectionable, he proceeded to remark upon the clause respecting misdemeanour. And here also it was contended, that the bill did not go to create any new misdemeanour, which he positively denied; because, the judge would have it in his power to say to the jury, "Do you find that these words and sentences were spoken with a design to excite the hatred and contempt of the people against the House of Commons as at present constituted?" and if the jury should find such a design to be proved, the court would have nothing to do but to claim the right of explaining the law, and, under the legal construction of the act, to enforce its penalties. Upon this principle, a meeting could not be held for petitioning for a reform in parliament, without incurring the penalties denounced in the provisions of the act. With regard to the penalty of transportation for the second offence, he did not think that the arguments which he had adduced on a former night had ever been answered. He had then asserted, what he was not now disposed to retract, that the same offence ought never to be punished with different penalties, particularly when there were different shades and degrees in the offence.

Gentlemen on the other side had pleaded the power of his majesty to pardon, as an extenuation of the severities of the act. This privilege Mr. Fox considered as absolutely necessary in a goverment similar to that of England; but there was a wide difference between this privilege when applied to general and to political crimes. It was notorious, that this privilege of the king was controuled in its exercise by his ministers. In cases of felony he would trust the compassion of any minister, but in state prosecutions he would be backward in trusting any minister, because these were connected with circumstance in which ministers were particularly interested. Far less would he trust the present ministers, who had sanctioned the iniquitous and cruel sentences of the court of justiciary in Scotland; sentences not less execrable than any which had been passed in the reigns of Queen Mary, or of Charles II.

It was said that sedition was the reigning crime of the day: if it was, it looked ill for administration; because popular

discontent was the usual and, indeed, the natural consequence of ministerial misconduct; and he ventured to predict, that if the present system was obstinately pursued, still more alarming consequences would ensue. Such laws as the present bills would constitute against sedition, were to him objects of abhorrence, because they were novelties unknown to the English constitution. He was more and more convinced of the rectitude of his opinion, when he reflected on the detestable system of criminal law practised in Scotland; the iniquitous and cruel sentence of the court of justiciary in which part of the kingdom, his majesty's ministers had not only sanctioned but elaborately defended. The trial of Mr. Muir, and the other unfortunate gentlemen who suffered a similar fate, Mr. Fox said he could never think of without expressing his utmost abhorrence. The sentence was an eternal disgrace to the court; and the Scotch judge who had affirmed, that no punishment was too severe for the man who was guilty of sedition, that the wretch ought to be exposed to wild beasts—that judge, Mr. Fox said, merited the universal execration of mankind, and it would entail lasting disgrace on the present times, as nothing more harsh, brutal, and unfeeling was to be found in the arbitrary and oppressive reigns of Charles II. and Queen Mary. In the bill before the House, the abominably intolerant spirit of the Scotch court was attempted to be established. The proceedings were a national disgrace, and were not excelled in the barbarous code of the most barbarous ages. Had Mr. Muir's case been submitted to an English jury, he would, undoubtedly, have been acquitted: but, whether totally acquitted or not, he was fully persuaded that he never would have been consigned to the sufferings which he had experienced. The noble and generous spirit of England would have revolted at such excessive and overstrained punishments. And it ought never to be forgotten, that, notwithstanding the grand jury found the bills against the persons tried at the Old Bailey, the petty jury acquitted them.

Mr. Fox condemned the unlimited power which the bill was about to repose in the executive government. By the infamy of spies and intrigues, both he and his countrymen were exposed to the indignation of the court party for the time being. He deprecated such an unconstitutional power, and bestowed unbounded praise on our ancestors for their wisdom in resisting any appearance of such abominable encroachments upon the liberties of the people. If the detestable spirit of the Scotch law respecting sedition were established in this country, then farewell to all liberty of speech! farewell to the familiarities of conversation! The servant who stood behind

his chair, if wicked enough, might betray him; and, seduced by those in power, might give information which would endanger both his liberty and his life. The abandoned maid-servant of Mr. Muir had acted in a similar manner: violating the confidence reposed in every servant by a master, she communicated to the friends of government the honest, undisguised expressions of Mr. Muir's mind. All that he had frequently expressed was, a wish for reform of the abuses which he daily saw; and no good man could lay his hand upon his heart, and deny the rectitude of his mind, when provoked by such a system as sullied the country which gave it birth.

Mr. Fox said, that even if Mr. Reeves should be found guilty of the libel on that House, which had lately engaged their notice: if he should be found to have recommended and circulated another infamous libel against the constitution, written by Arthur Young; and if he should also be found to have published at different times libels against the protestant dissenters, marking them out as a description of people who ought to be exterminated, he would even go upon his knees to beseech his majesty not to enforce against Mr. Reeves a sentence of transportation.

A good deal had been said respecting his majesty's refusing his assent to these bills. His own wish was for that prerogative of the crown to remain dormant and quiescent. It was a prerogative which, he believed, would only be a favourite, while it was not attempted to be exercised. He trusted, that if the bills should pass, they would meet with a speedy repeal. He rather trusted that the people would petition his majesty to dissolve parliament, which was their undoubted right, if ever parliament had acted in such a way as to require an interference of that kind. He rejoiced, that on the present occasion, the spirit of the people had shewn itself to be alive; and he trusted, that the display which had been made of the energy of the public mind, would be attended with the happiest effects. The bills formed a crisis in the history of the country; inasmuch as they were a departure from the whole system of the principles of the constitution. The present bill was modelled upon an act of Charles II. The people of England had, in his opinion, committed a worse offence, by the unconstitutional restoration of that monarch, than even by the death of Charles I. It was a measure which originated in a period when the parliament gave up to the king the disposal of the military force, and surrendered the liberties of the people at the foot of the throne. There was one clause in the act of Charles II., which shewed the spirit of those times. By this clause it was made penal to say the king was a papist. And why? Because such was

the precise fact. It was rather inauspicious in the present moment, that it should be thought necessary that a bill should be adopted to prevent people from telling the truth. No man would say that George III. was a papist. But what was the object of the present bill? By this bill men were forbidden to speak of the defects of government, and of those abuses which were growing up from day to day, to destroy the spirit of the constitution. If ministers had not been conscious of the existence of those defects, they would not have forbidden men to discuss them. He had somewhere read, that after the defeat of Brutus and Cassius, a decree had been passed that Augustus, who was then raised to the highest dignities of the state, should not be called a boy,—"*puer, ne majestrati populi Romani detractaret.*" Augustus passed no such decree at the latter end of his reign; nor did Tiberius, at any period, feel such a decree to be necessary. The present was a law against proclaiming the defects of the constitution, at a period when the government were every day bringing on fresh abuses. The bill was itself an intolerable grievance. This is the last opportunity, (said Mr. Fox,) that I may have to state my sentiments with respect to these bills. I feel it therefore incumbent upon me to declare, that my objections still remain unimpaired. The one is calculated to prevent the liberty of speech; the other the liberty of writing and publishing. If these bills be carried into effect, and if their influence extend to the national character, other nations will be enabled to say, that England, which has conquered others, has at last made a shameful conquest of herself.

The House divided on the motion, That the bill be read a third time:

	Tellers.			*Tellers.*	
Yeas	Sir W. Young Mr. John Smyth	226.	Noes	Mr. Jekyll Mr. Whitbread	45.

The bill was then read a third time and passed.

Mr. Reeves's Libel on the British Constitution.

November 23.

THIS day, Mr. Sturt in presenting to the House the petition of the London Corresponding Society against the Treason and Sedition bills, justified that body from the aspersions thrown

out against them and their writings; and to prove that things at least as exceptionable had appeared from the partizans of the ministry, he read to the House several passages from a pamphlet, entitled, "Thoughts on the English Government," written by Mr. Reeves, the framer and president of the association against republicans and levellers, and among others the following: "With the exception of the advice and consent of the two Houses of Parliament, and the interposition of juries, the government, and the administration of it in all its parts, may be said to rest wholly and solely on the king, and those appointed by him. Those two adjuncts of parliament and juries are subsidiary and occasional; but the king's power is a substantive one, always visible and active. By his officers, and in his name, every thing is transacted that relates to the peace of the realm and the protection of the subject. The subject feels this, and acknowledges with thankfulness a superintending sovereignty, which alone is congenial to the sentiments and temper of Englishmen. In fine, the government of England is a *monarchy;* the monarch is the ancient stock from which have sprung those goodly branches of the legislature, the Lords and Commons, that at the same time give ornament to the tree, and afford shelter to those who seek protection under it. But these are still only branches, and derive their origin and their nutriment from their common parent; they may be lopped off, and the tree is a tree still; shorn, indeed, of its honours, but not like them, cast into the fire. The kingly government may go on in all its functions, without Lords or Commons, it has heretofore done so for years together, and in our times it does so during every recess of parliament; but without the king, his parliament is no more. The king, therefore, alone it is who necessarily subsists without change or diminution; and from him alone we unceasingly derive the protection of law and government." Mr. Sturt then moved, that the House do order the attorney-general to prosecute the author of the said pamphlet. The Speaker said that the motion could not be made in that form. The honourable member must first make his complaint, and then move that the passage complained of be read by the clerk. Mr. Pitt said, he would not say a word upon the merits or demerits of the pamphlet, but he called upon the House to decide whether they ought to sacrifice the important subject of discussion, which was expected to occupy the attention of the House a great part of the evening, to a subject of inferior moment, which had accidentally occurred. He therefore moved the order of the day.—Mr. Jekyll hoped there was still enough of honour and independence in a British jury, and virtue sufficient in English judges, to bring the author to condign punishment. The question was not, whether the House of Commons ought to be calumniated, but whether it ought to be lopped off as an excrescence. He spoke on the ground of privilege, and therefore the question which he spoke to was entitled to the priority of every other discussion. He appealed to the highest authority of the House if he was not perfectly in order.—The Speaker said, that questions of privilege certainly claimed a precedence in discussion; and all that was

necessary to be done at present, was for the House to consider whether it was a question of privilege. — Mr. Erskine, taking for granted that the passage quoted from Mr. Reeves's pamphlet was a libel, argued either that it was a question of privilege, or that it was not. If it was not, he contended that it was prejudging the case to direct the king's attorney-general to file any information he had received against the libeller. But if it was a libel (and if it was not, he knew not what was, for not only the constitution, but the very existence of the House of Commons was represented as a matter of little or no concern,) the only point to be settled was, whether a libel upon the House of Commons was or was not a question of privilege. Here Mr. Erskine referred to the instance of the king *versus* Stockdale, in which the attorney-general was directed to prosecute Stockdale for a breach of privilege of the House, not very dissimilar from the present. The Speaker had given a decided opinion on the point, that a question of privilege claimed a priority of discussion. The chancellor of the exchequer, on the other hand, had pressed the importance of the bill, as if the people of England were more anxious to have their liberties taken away than to preserve the very existence of the right of representation; a position which that right honourable gentleman might endeavour to palm upon the House, but which would require much more ingenuity of argument than he could command to render it palatable. — Mr. Pitt said, he did not mean to argue upon any of the sentiments contained in the pamphlet; the leading consideration was, whether it was a breach of privilege or not? And, if it was, he thought, instead of recommending the attorney-general to prosecute, the House should vindicate its privileges by acts of its own. However, he was at present for passing to the order of the day.

Mr. Fox considered the objection which had been started by the chancellor of the exchequer as the strangest he had ever heard. A member of parliament had complained of a breach of privilege; and, because an informal remedy had been proposed by a single individual, was this to alter the fact *in limine?* But the great object was to get forward to the order of the day. Oh, how differently (exclaimed Mr. Fox) do you feel on the code of liberty, and on the code of despotism! France emerged from a state of slavery, and shook off the chains of her tyrants — a general alarm was the consequence — an armament was ordered — war was declared — millions of treasure have been expended, and thousands of lives have been sacrificed. Poland was robbed of her liberties by the lawless grasp of overgrown ambition. In one speech of the minister, a lamentation was made over the scene of oppression, and shortly after a treaty was signed to guarantee the robbery! The Corresponding Societies came forward with spirit in the cause of parliamentary reform, and a few paltry libels were published; the habeas corpus act was

suspended, indictments for high treason were drawn up; new treasons were enacted, and the bill of rights was repealed. A more atrocious libel than any that had been published now appears from the pen of a ministerial hireling, against the House of Commons, and the motion which is made by the chancellor of the exchequer is — that we should proceed to the other orders of the day! Mr. Fox, though in general he declared himself no friend to prosecution for opinions, called upon the House to come forward on the present occasion, in vindication of their privileges, their dignity, and their existence.

Mr. Windham said, that after hearing the passage read, he was not prepared to deliver his mind upon it; but it was not conformable to the interpretation given it by gentlemen. As far as he was then prepared to decide on it, it might be perfectly innocent. It was, he thought, merely the opinion or declaration of an antiquarian or historian, speaking his sentiments of the British constitution. It merely meant, that monarchy was antecedent to the other parts of the constitution; and might possibly survive or subsist without them. It was merely such an opinion as an historian might give of any form of polity. He was persuaded, that if it were tried before that tribunal which gentlemen sentenced it to, there was not sufficient to condemn it. With respect to the person who was said to be the author, very indecent language had been used; but the gentlemen who so traduced his character had good reason: he incurred their displeasure, in proportion as he gained the good will of the country.

Mr. Fox said, that he was always sorry when he felt himself obliged to arraign the general character of any man; but of Mr. Reeves he must say, that he never could mention him with respect, since he saw in the public prints a letter respecting him by Mr. Law. He asked, was this a solitary libel? He always doubted the wisdom of prosecuting for opinions; but when opinions were made the grounds for the alarming bills then pending, it was for the House to see, whether they ought not to hold this libel in equal abhorrence with any that ever came before them. He said, he was not fond of prosecutions for opinion, and he proposed merely that the House should publicly declare the sentiments they entertained of this atrocious libel. Great God! said Mr. Fox, shall it go out into the world, that a gentleman of distinguished talents, and powerful influence in the cabinet, holds the doctrine which this passage inculcates! If he adheres to that opinion, it is a demonstration that the system of the cabinet is changed, that a settled plan of overthrowing the liberties of the people is entertained. He was glad that

those ministers who had been once his friends, were the persons who displayed some openness and candour, for from their declarations, the opinion of their colleagues was to be gathered. He wished to know, whether the secretary at war could possibly defend this libel as innocent; and therefore he hoped that gentlemen would discuss it. He hoped the House would come to no opinion on the passage, till they had heard the context. He hoped that the House would agree to the reading of the whole of the pamphlet, and that they would not proceed on detached scraps, as they did in bringing in the bills.

The question was put, that the said pamphlet be read, which was agreed to without a division. After it had been read by the clerk, Mr. Sheridan said, that it must now be admitted upon full proof to be the falsest, foulest, dullest, and most malicious pamphlet that had ever issued from a prostituted press. Doubts had been stated, whether the author was of importance enough to attract and call for the weighty and immediate notice of that House: but they should consider, that this person was the main agent and abettor of all those associations which originated and circulated those alarms about French principles, that had contributed so much to the unhappy state in which the country stood at that moment. He considered him however as too despicable for that species of trial which Sacheverell, whose works contained no principles more detestable, had suffered. He would therefore move, "That the said pamphlet is a malicious, scandalous, and seditious libel, reflecting on the glorious Revolution; containing matter tending to create jealousies and divisions among his majesty's loyal subjects, to alienate their affections from our present happy form of government, as established in king, lords, and commons, and to subvert the true principles of our free constitution; and that the said pamphlet is a high breach of the privileges of this House." The master of the rolls finding it impossible, he said, to make up his mind to an instantaneous decision upon such a mass of matter, moved, "That the said pamphlet be taken into further consideration on Thursday." In this he was supported by Mr. Pitt and Mr. Sergeant Adair; and opposed by Mr. Erskine, who moved that the word "to-morrow" be inserted instead of "Thursday."

Mr. Fox said, it had been asked, why he had not brought on the consideration of the pamphlet before? In answer to which, he begged leave to say, that he did not know whether he should have brought it on at all. He conceived that dangerous opinions might be stated in a publication, and that yet it might not be of consequence to proescute the author. But when such a publication as the present was brought forward in that House, it was then incumbent on them to shew that they were not parties to libels upon the constitution, nor the patrons of those by whom such libels were circulated. The

existence of the treason and sedition bills formed another ground why this publication should not be passed by; for if it was found that arbitrary doctrines were recommended, and if arbitrary measures were in the course of being adopted by ministers, he then thought it of consequence that the House should not subscribe to the opinion of the right honourable the secretary of war, that the passage in that publication, which had been particularly referred to, appeared to be innocent. A learned gentleman (Mr. Adair) admitted it to be a libel on the constitution, and yet was an advocate for delay. Why did he not narrow his condemnation to the doctrines contained in that particular passage? Notwithstanding all the partiality of ministers for arbitrary power, he did not conceive that many of their advocates would be found to come forward to support those doctrines. A delay, then, was on their part desirable, in order that they might concert, in the interval, whether any defence could be set up for this passage, in all probability the production of one of their own agents. But, he asked, was this exceptionable passage so long, was it so doubtful, that after having heard it once read, the House could have any hesitation with respect to its tendency? Did ministers wish for the delay of a few days, in order to give notice to the author of the libel, to get out of the way? Did they wish for time in their distressed situation, in order to palliate the atrocity of the libel by some straining and twisting of the other parts of the pamphlet, and justify the declaration set up by the right honourable the secretary at war, that it was perfectly innocent? It was, Mr. Fox declared, a libel of a more dangerous nature, and a worse tendency, than any that had been issued by the Constitutional and Corresponding Societies. It was not difficult, however, to perceive the tenderness of ministers for this libeller on the House of Commons, nor to penetrate into the motives of their conduct; and he thought it a bad omen for the country, that while such dispositions were manifested, it should be urged, that not a moment was to be lost in coming to a decision on bills, which, under the pretence of giving greater security to his majesty's person, were, in reality, calculated to strengthen the hands of government, and overturn the privileges of the constitution.

The question for adjourning the further consideration of the pamphlet till Thursday was carried without a division.

November 26.

The debate on Mr. Sheridan's motion being resumed, it was strongly opposed by Mr. Windham, who defended the pamphlet in a speech of considerable length.

Mr. Fox asked, whether the right honourable secretary at war would have taken the same pains to find out a different meaning had any other pamphlet been the subject of discussion? Supposing it had been from Mr. Paine's? If so, he would then, indeed, pronounce him impartial. Or, if he, (Mr. Fox,) had endeavoured to explain any pamphlet coming from a member of the Corresponding Society, whether that right honourable gentleman would have exculpated him from the charge of partiality towards that body; then, indeed, he would give him credit for impartiality on the present occasion: but when he saw him employing his ingenuity in order to give a sense to the pamphlet different from what it would obviously bear, he could not help thinking that the right honourable gentleman entertained some lurking partiality towards the principles asserted in that pamphlet. Would any gentleman venture to declare, that there did not appear as settled a design in Reeves's association to attack the constitution, as in any of the corresponding societies? To the pamphlet of Mr. Arthur Young, an express vote of thanks, signed by Mr. Reeves, as chairman of the association, and an approbation of the doctrines contained in Mr. Young's pamphlet were subjoined. The principles which Mr. Reeves's association wished to adopt were, that rotten boroughs, extravagant courts, selfish ministers, and corrupt magistrates, formed the security for the constitution of England. What could such doctrines proceed from but a settled design in that society to destroy the constitution of this country? If they analized the pamphlet minutely, they would find the doctrine contrary not only to fact, but to the language of the statute-book, which declared, that the government of this country was not simply a monarchy, but a government in king, lords, and commons. My own difficulty (said Mr. Fox) is what the conduct of the House should be on this occasion. I profess myself an enemy to prosecutions for libellous attacks; and yet, at such a time as this, when Mr. Reeves's association are spreading their pernicious doctrines abroad, I am anxious that the House of Commons should express their disapprobation of principles recommended by that association. I wish to get at the author of this pamphlet; and this is so material an object, that I think the better way would be, for the House to keep this business in its own hands.

The motion was carried, and a committee was afterwards appointed to enquire who was the author of the said libel.

December 14.

The reports of the committee appointed to enquire who was the author of the pamphlet, entitled "Thoughts on the English Government," being this day taken into consideration, Mr. Sheridan moved, "That one of the said printed books be burnt by the hands of the common hangman in the New Palace-yard, Westminster, on Monday, the 21st day of this instant December, at one of the clock in the afternoon; and that another of the said printed books be burnt by the hands of the common hangman before the Royal Exchange in London, on Tuesday the 22d day of this instant December, at the same hour; and that the sheriffs of London and Middlesex do attend at the said time and places respectively, and cause the same to be burnt there accordingly." As an amendment to this motion, Mr. Secretary Dundas moved, "That an humble address be presented to his majesty, humbly to desire his majesty that he will be graciously pleased to give directions to his attorney-general to prosecute John Reeves, esquire, as the author or publisher of a printed pamphlet, entitled "Thoughts on the English Government, &c." After the amendment had been supported by Lord Sheffield and Mr. Sylvester Douglas,

Mr. Fox said, that with respect to the danger to be apprehended from the pamphlet, he could not allow that the danger of an arbitrary government being established was wholly chimerical, though he was ready to admit that the recent feeling which had been excited by the two bills had, in a considerable degree, diminished his apprehension of such an event. In a mixed government like this, however, all publications were dangerous which tended to give to one of the parts of that government too great an ascendancy over the rest. It might be asked, why, if no prosecution were wished, all the facts had been stated? For this plain reason, to convince the House of the impropriety of the pamphlet. What was it that he desired? It was this, that as a pamphlet such as this had been brought before the House, the House should not content themselves with a mere vote of censure, but should make the pamphlet undergo, as it were, the ignominious punishment of burning. With regard to precedents, he contended that, with a very few exceptions, they ran in favour of the original motion. Early in the present reign, a pamphlet, called "Droit le Roi," had been complained of, censured, and burnt. At the commencement of the American war, another pamphlet, called "The Crisis," had also been complained of and burnt. Why, then, should it be for the honour of the House at present to shew such tenderness for the doctrine contained

in the pamphlet, as to exempt it from the punishment which had been inflicted on similar doctrines?

An insinuation had gone forth, that a wish to oppose Mr. Reeves had existed, and a noble lord (Sheffield) had stated, that that gentleman was to be prosecuted because he had counteracted the views of gentlemen on his side of the House. Now, he would fairly own, that Mr. Reeves had counteracted his views. His views had been to put an end to all religious differences. Mr. Reeves's association, however, had tried to light up the flame of religious discord all over the kingdom. His own object had always been to preserve the balance between all the parts of the government. Mr. Reeves, by the circulation of Mr. Soame Jenyns's doctrines, and other pamphlets, had tried to destroy that balance. He was, therefore, not ashamed to say, that Mr. Reeves had counteracted his views. He had mentioned Mr. Soame Jenyns's pamphlet; he had read it when it first came out; he thought it ingenious and innocent. But though Mr. Jenyns wrote it innocently, did Mr. Reeves circulate it innocently? The material difference lay in that circumstance altogether.

Arguments had been used to shew that the House, if they adopted the motion, would, at the same time, be judge and jury. Was it not in the nature of things that it must be so? And in a case which related to its own privileges, how could it be otherwise? Could any of the courts below vindicate their privileges, in any other manner than by acting both as judge and jury? If he were asked, whether he would stop there, his reply would be, that he had no objection. He had no objection also to sending for Mr. Reeves to the bar. At the bar he might make his defence, and comment upon the evidence that had been adduced against him, in order either to disprove it or abate its force and application. About punishment he was little solicitous, and he should even have cared little about burning the pamphlet, if Mr. Reeves had not been at the head of these associations; and if this and other pamphlets, circulated by those associations, had not proceeded from the same shop. The removal from a place of trust was certainly a severe punishment; but was it not inflicted in cases where particular tests were not taken? Had it not been inflicted in similar cases to the present. In the case of the Bishop of Worcester, who had interfered in an election, did not the House petition the Queen to remove him from the office of almoner to her majesty?

Mr. Sheridan's motion was put and negatived; after which Mr. Dundas's motion for the attorney-general to proceed against Mr. Reeves was agreed to.

KING'S MESSAGE RESPECTING A NEGOCIATION WITH THE PRESENT GOVERNMENT OF FRANCE.

December 9.

ON the 8th of December, Mr. Pitt presented the following message from his majesty:

"GEORGE R.

"His majesty relying on the assurances which he has received from his faithful Commons, of their determination to support his majesty in those exertions which are necessary under the present circumstances, recommends it to this House to consider of making provision towards enabling his majesty to defray any extraordinary expence which may be incurred for the service of the ensuing year, and to take such measures as the exigency of affairs may require. His majesty, on this occasion, thinks proper to acquaint the House, that the crisis which was depending at the commencement of the present session has led to such an order of things in France, as will induce his majesty (conformably to the sentiments which he has already declared) to meet any disposition to negotiation on the part of the enemy, with an earnest desire to give it the fullest and speediest effect, and to conclude a treaty of general peace, whenever it can be effected on just and suitable terms for himself and his allies.—It is his majesty's earnest wish that the spirit and determination manifested by parliament, added to the recent and important successes of the Austrian armies, and to the continued and growing embarrassments of the enemy, may speedily conduce to the attainment of this object on such grounds as the justice of the cause, in which this country is engaged, and the situation of affairs, may entitle his majesty to expect."

On the following day the said message was taken into consideration, when Mr. Pitt moved, "That an humble address be presented to his majesty, to return his majesty the thanks of the House for his most gracious message: To acknowledge, with the utmost gratitude and satisfaction, his majesty's condescension and goodness, in having been graciously pleased to acquaint us, that the crisis which was depending at the commencement of the session, has led to such an order of things in France, as will induce his majesty, conformably to the sentiments which he has already declared, to meet any disposition for a negociation on the part of the enemy, with an earnest desire to give it the fullest and speediest effect, and to conclude a treaty of general peace, whenever it can be effected on just and suitable terms for himself and his allies: To assure his majesty, that, until that desirable period shall arrive, it is our firm determination to continue to afford his majesty that vigorous support which we are persuaded is essential to the most important

interests of his kingdom; and that it will yield us the highest gratification, if his majesty's powerful preparations and exertions, added to the recent and important successes of the Austrian armies, and to the continued and growing embarrassments of the enemy, should have the happy effect of speedily conducing to the restoration of a general peace on such grounds as the justice of the cause in which this country is engaged, and the situation of affairs, may entitle his majesty to expect."

Mr. Sheridan avowed himself of opinion, that the intention of the minister was to frustrate the motion for peace, of which his honourable friend Mr. Grey had given notice. What other motive, he asked, could induce the minister to this change of language respecting the French, whom he had so lately represented as unable to continue the war, and on the brink of destruction? The men who governed that country were the same who had put the king to death, and with whom our ministry had declared, no settled order of things could ever take place. But, whoever were the governors of France, Mr. Sheridan insisted, that no reason of that sort ought to prevent an accommodation. On that ground he would move the following amendment: "Your majesty's faithful Commons, having thus manifested their determination to give your majesty the most vigorous support in the further prosecution of the war, in case just and reasonable terms of peace should be refused on the part of the enemy, and having declared the cordial satisfaction they feel at your majesty's gracious intention, to meet any disposition to negociation, on the part of the enemy, with an earnest desire to give it the fullest and speediest effect, cannot at the same time avoid expressing the deep regret they feel, that your majesty should ever have been advised to consider the internal order of things in France to have been such, as should not have induced your majesty at any time to meet a disposition to negociation on the part of the enemy: — And your faithful Commons feel themselves at this conjuncture the more forcibly called on to declare this opinion, because, if the present existing order of things in France be admitted as the motive and inducement to negociation, a change in that order of things may be considered as a ground for discontinuing a negociation begun, or even for abandoning a treaty concluded: — Wherefore, your majesty's faithful Commons, duly reflecting on the calamitous waste of treasure and of blood, to which it is now manifest the acting on this principle has so unfortunately and so largely contributed, and greatly apprehensive of the grievous and ruinous consequences to which the persevering to act on such principles must inevitably tend, do humbly and earnestly implore your majesty, that it may be altogether abandoned and disclaimed; and that the form of government, or internal order of things, in France, whatever they may be, or shall become, may be no bar to a negociation for restoring to your majesty's subjects the blessings of peace, whenever it can be effected on just and suitable terms for your majesty and your allies: — And as the principal bar to a negociation for peace appears to have been your majesty's having been hitherto advised to consider the order of things in France as precluding your majesty from meeting a dis-

position to negociation on the part of the enemy, your faithful Commons now humbly beseech your majesty to give distinct directions that an immediate negociation may be entered on the above salutary object."

The amendment was seconded by Mr. Grey, who advanced a variety of facts and reasonings upon them, to prove the propriety of treating. Mr. Pitt replied, that until the present opportunity, none had offered to encourage ideas of peace, which, however, had not been prevented by the mere existence of a republic in France, but by a total absence of any species of regular government. The change now was manifest: the new constitution was contrary to the doctrine of universal equality; the French had now a mixed form of government, admitting of distinctions in society; and their legislature was not constructed on a pure democracy. This fully authorized ministry to consider them in quite another light than formerly; but did not furnish any pretence for depriving ministers of their right to act in the name of the executive power, without undue interference, which must certainly be the case, were the amendment to be adopted.

Mr. Fox said, that however he might differ from much of what had fallen from the right honourable gentleman, however he might object to the terms of the address which had been moved, there was one thing which must give him pleasure; he must congratulate the House and the country on the complete change which had happily taken place in the language and in the system of government. The House would believe him when he said that he rejoiced, and when he congratulated them upon this change, since he had also to congratulate himself upon the occasion, as this change of language and of system pronounced his pardon, and was a complete absolution of all his past sins. Ministers had made a total retractation of all the charges they had brought against him for the motions he had made, and for the doctrines he had held from the commencement of the war to the present day; they had fully acquitted him, and had positively declared that, in every sentiment he had uttered, he was right, and that the House should have acted upon his opinion; for all along he had maintained the doctrine now laid down in his majesty's message. Three years ago, namely, on the 15th of December 1792, he had made a motion for a negociation for peace. In June 1793 he had done the same thing; he had also moved an amendment in the course of the same session, tending to the same purpose. In January 1794 he had supported the motion of an honourable friend; and in the latter end of the same session he had maintained and supported in argument the same sentiment as that now conveyed in his majesty's message, namely, that it was fit and proper to negociate with the existing government of France.

It had been his uniform argument, that, at every moment from the first commencement of hostilities to the present, it was wise and politic to make the declaration which had been now submitted to the House, — that France was in a state to negociate with this country. He had, therefore, at present, this triumph, that ministers retracted by this message all the language they had held in answer to his motions, and all the imputations which they had thrown upon him. "What!" they said, "treat with men whose hands are yet reeking with the blood of their sovereign! What! treat with men who would come here with principles that are destructive of all government!" Such were their arguments, and yet mark their conduct: they now declared themselves ready to treat with the new directory of France, four members of which had actually participated in the judgment and death of their sovereign, and were directly implicated in that act. He regretted exceedingly the absence of some gentlemen from the House this evening, who had signalized themselves by reprobating his sentiments and conduct in the severest terms, because from them also he might have received the same sentence of pardon and absolution, and because they might now have been ready to confess, that the censures in which they had so liberally dealt were the effect of sudden irritation, or gross misapprehension. Other modes of attack had been practised; not the least remarkable of which was, that he and his friends left nothing to the discretion of ministers. When by their motions they had merely called upon the House to consider the existing government of France as capable of maintaining the relations of peace and amity with their allies, a complaint was made on behalf of ministerial discretion, and the supporters of the motions were accused of a wish to deliver over his majesty's advisers bound hand and foot, to the governors of France. They did no such thing; neither his two amendments, nor the motions of his honourable friend (Mr. Grey), went so far as the present message from the crown. His amendments did no more than declare, that there were no embarrassments to treating in the form of the government of France; nothing that made it impossible or improper for this country to treat. The motion of his honourable friend was still more gentle. It was, that there was nothing in the government of France that tended to retard a negociation. But the present message declared at once their readiness to treat under certain circumstances, and the House were now called upon to do what had then been declared to be so improper, so degrading, and so ignominious. All these foul epithets, however, were now completely retracted, and justice was done to the good

intentions, and to the sound policy of the gentlemen on his side of the House.

The chancellor of the exchequer had thought to involve them in a difficulty, by insinuating that his honourable friend had argued against the address. But this Mr. Fox positively denied, for he had not opposed the address, but thinking it inadequate fully to express the sentiments which the House ought to feel on the occasion, he had proposed an amendment more definite in its object, and more comprehensive in its provisions. He could not, however, but protest against a mode of arguing, by which a person was not allowed to approve of an address if he ventured to express his disapprobation of the measures by which the situation was produced in which the address was moved. If it should be said, that it was an opposition to the address, because they proposed an amendment, he must protest against such reasoning, which tended to deprive him of the freedom of speech. If he must agree to a proposition only in the terms in which it was put, he was deprived of deliberation, and was no longer permitted to be a free reasoner. But this would not, he supposed, be seriously disputed; and it would not be ascribed to him, that he was an enemy to peace because he agreed to an amendment to a message which was extremely equivocal. An enemy to peace! The whole tenor of his reasoning from the commencement of the war was, that every moment was favourable to a negociation for peace. Had he any objections to that peace being concluded by the honourable gentleman? None; for he should think it an addition to the blessings of peace, if the country could along with it procure the advantage of bringing his majesty's ministers into disgrace; and he should conceive that they were completely disgraced by the retractation of every assertion they had made, and by the surrender of every object which they had held out as the pretext of war. If this should be said to be an invidious mode of speaking, he had no objection to plead guilty to the charge, for he most assuredly did think, that next to the blessings of peace would be the disgrace of ministers, who had entered upon the war without reason and rejected every opportunity of concluding a peace upon terms infinitely more favourable for the country than any that they were now likely to obtain. It might, however, be their consoling idea, that if they had rejected peace upon better terms than they were now likely to obtain, still they had brought the country to such a pitch of calamity, and so clamorous were the people, that peace upon any terms would be received from them as a boon and an atonement for all their transgressions. Such might be their feeling. But, if it were possible to believe that the members of that House could so

far surrender their pride, their independence, and their spirit, as to justify such a sentiment, he could only say, that they surrendered their public principles to personal motives, but that such conduct was inconsistent with their duty as representatives of the people, and incompatible with their character as men of honour. No; though they should give peace to the country, he would not agree to forget their demerits. He should still think himself bound to accuse them as the authors of all the calamities that we had suffered, and he should not think it was a sufficient atonement for their conduct, that they had prevailed on a majority of that House to support them in the system.

He now came to consider the question of the amendment. And first, it was necessary to inquire whether the address wanted explanation; and secondly, whether it was not necessary, in addition to the declaration which it contained, to come to some precise expression of the sense of the House as to the necessity and wisdom of negociation, whatever might be the form of the government of France. The right honourable gentleman had said, that they should be left open to negotiate, but not be obliged to it. Upon this he would inquire, whether there did exist at this moment a form of government in France, that in the opinion of his majesty's ministers made it wise, fit, and practicable for them to treat? This was the question. Was it not the intention of gentlemen, that with such a government they should treat? Last year, when his honourable friend made a motion for pacification, the right honourable gentleman objected to it as being a practical declaration for treating, and he moved an amendment, which he called a conditional declaration, that we were disposed to treat, whenever there was a form of government in France capable of maintaining the accustomed relations of peace and amity with other countries. That time was come. His majesty's message expressly declared that they were now come to such a form of government. Nay, a more precise term was used than in the amendment of last year, for, instead of other countries, the message expressly stated Great Britain. Then, if they were come to this state, why not declare, said Mr. Fox, that you will treat with them? Why not act upon your own declaration? Why not be steady to the principle which you have pronounced, and declare that you will treat? Since that declaration was made in the month of June last, there was not a statesman in Europe, except his majesty's ministers, who did not believe that France was in a state capable of maintaining the relations of peace and amity with other countries. Their conduct to neutral powers had demonstrated the fact. Prussia had acted upon the demon-

stration, and had concluded a peace accordingly. It was evident to all the world, then, except to the king's ministers; and if they had been sincere in the declaration that they made in the month of June last, it would have been manifest to them also, and they would have acted upon it. With this glaring fact before their eyes, would the House again leave it in their power to juggle with words, and to evade their own declarations? Would they not now think it necessary in prudence to bind them down to a specific act upon their own words? If they did not, what possible confidence could they have in the present declaration more than in the past? They might say, it was true that at the time of making such declaration there appeared to be a disposition in France to treat; but now circumstances have changed, and there is not the same disposition. They might affect to see circumstances unknown or totally disregarded by the rest of Europe, and might say that they were not bound by the present declaration, and that the House had come to no opinion which made it necessary for them to treat; such had been the result of their former conduct. The right honourable gentleman had persuaded the House to leave them to the exercise of their own discretion, and they had neglected the time which other statesmen and other cabinets had wisely seized and happily improved. If the House desired, therefore, that the blessings of peace should be restored to the country, they must take care that the present address should be precise and definitive. If it was not clear and intelligible, it was fit that it should be amended, and the experience of last year ought to convince them that no loop-hole should be left, no latitude given, to that disposition to equivocate which they had so much reason to lament.

Speaking of France, the right honourable gentleman said, that the present was a fit government with which to treat; and he had accused his honourable friend (Mr. Grey) of having made a slip of the tongue, when he said that by a singular state of things they might be said to be attacking the French constitution which ministers were defending. It was no slip of the tongue; nor was there any thing wrong in the reasoning. His honourable friend never otherwise had defended the former constitutions of France as being good governments for the people of that country, but good in relation to others. He and every gentleman around him had contended, not that the constitutions of France were well framed for the happiness of the people of that country, but that they were sufficient for all the purposes of good neighbourhood, and of preserving peace and amity with others. They never attempted to defend the government of Robespierre. The right honourable

gentleman would not do him the injustice to impute to him an approbation of that detestable monster. He had always said, that every one of the successive governments of France had shewn a disposition and capacity to maintain their treaties with foreign nations. He was of the same opinion still; and if any one man should rise in his place, and assert that he saw good reason to believe that the present government of France was more capable than any of its predecessors to maintain those relations, he must only say that he should very much doubt either his sincerity or his judgment. It had been a darling expression to call the state of France for three years past a state of anarchy. It would have been a more correct description to have called it a state of tyranny, intolerable beyond that of any, perhaps, that ever was experienced in the history of man. To say that he rejoiced in the probability of its termination was, he hoped, unnecessary. He certainly rejoiced in it as much as he did in the fall of the tyranny of the House of Bourbon. But, was that tyranny capable of maintaining terms with foreign powers? Most certainly it was. And if this assertion should be denied, he called upon gentlemen to produce a single instance in which they had departed from the strict performance of their engagements; a single instance in which any one of the adverse parties that tore one another to pieces, and in their despicable and horrid conflicts tore also the bosom of their country, ever violated the engagements they had made out of France. Did not the Brissotine party maintain the treaties of their predecessors? Did not the execrable tyrant Robespierre himself, observe with equal fidelity the treaties made by Brissot? Were not his successors uniformly steady in their adherence to the external system which had been adopted? It had been observed with truth, that no one period in the French revolution had been marked by a more sacred regard to the neutrality of foreign powers, than the reign of that execrable tyrant Robespierre; and it would not be denied, but that treaties had been made with tyrants as execrable; and considering what sort of treaties ministers had made, with whom they had made them, and what acts of base and abandoned tyranny they had not discountenanced, it was not worthy the manly character of the British nation to abet them in their resistance to a treaty with France.

Having thus shewn, in his mind, the futility of all objections to treat on account of the insecurity of treaty, Mr. Fox came to their next argument, that now France was in the greatest possible distress. Granted. Was that a reason for treating now? Was it because this very stable government was on the point of annihilation, that it was capable of maintaining the

relations with foreign powers? The absurdity was too gross for argument. But, if their distress was a reason for treating with them, had they not experienced this distress a twelvemonth ago? Let the House remember the speeches of the right honourable gentleman and his noble friend (Lord Mornington) on the state of their assignats, when they said that their depreciation was at the rate of 80 per cent. Aye, but they had not then come to sufficient distress to be solicitous of peace, and now it seems they were come to this disposition. And what was of more consequence, it seemed that they had now a constitution which was quite fit for all the purposes of negociation. If ministers depended upon this slender thread, our security was slight indeed. He was not about to praise or to censure their new constitution; that he owned could be properly estimated only by experience. But whether it was good, bad, or indifferent, did not signify a farthing to the present argument. Whether it was calculated to give happiness to the people of France, was none of their concern; it was not with the constitution but with the government of France that they had to do. That government they had before, and had, he would venture to say, in as perfect a shape as they had now. Nay, if he could trust to an assertion that had been made in that House but very lately, had more perfectly, since it was said, that some of their generals had violated the treaty that had been made with Prussia. What was the construction to be put upon this conduct? That this government, the only one under which the slightest violation of treaty had been known since the Revolution, was also the only one with which it was proper for this country to treat. [It was whispered across the House by ministers, that this violation happened before the establishment of the present government.] Before! said Mr. Fox:—the fact was expressly stated as an argument by the other side of the House, that day se'nnight; that it was totally without foundation he believed; he certainly never had heard it except in that House upon that occasion. But now they were to have perfect confidence in these identical men, because France had now two houses of legislature instead of one! Their nature was to be changed, their insincerity to be obviated, and every objection to be at an end, because France had now two houses instead of one! There was something so extremely whimsical, and so unworthy of statesmen, in this mode of reasoning, that he would not stop to reply to it. He did not mean to criticise the present French constitution; he certainly thought it better planned than any of the preceding; but he could not look to it with greater confidence than to any of its forerunners.

He came now to speak of the origin of the war, in which

he would not cease to say, that ministers were the aggressors. It was their eternal answer to this charge, that France had declared the war. Their incessant recurrence to this feeble subterfuge proceeded from a conscious qualm that the accusation was well founded. In his opinion, even in a case of actual insult, it was the duty of statesmen to attempt to procure redress by negociation before they recurred to the argument of war. Had ministers taken this course? The pretexts were, that the French had threatened to deprive our allies, the Dutch, of the free navigation of the Scheldt, and that they had made a declaration, threatening all the world with the dangers of fraternity. Grant that these were legitimate grounds upon which it was the duty of this country to demand satisfaction, was it not the duty of ministers to negociate for that satisfaction? The French had a minister at this court. Why did they not express to that minister the terms upon which they would continue their amity? In every correspondence of the sort, it was incumbent on both parties to state explicitly what they desired to be done, and what they would do in return. Let gentlemen look at the correspondence which had been published, and they would see that there was no declaration on the part of ministers upon what terms they were disposed to continue their amity. But grant even to government their demand, that the French were the aggressors, and that this was merely a defensive war: then it was the nature of a defensive war that it should be pursued on the motives of defence, and that every moment should be seized upon when it might be possible to obtain the security for which it was undertaken. He appealed to the House and to the country if this had been their conduct. He demanded whether, after the defeat of Dumourier, when Belgium was recovered, and when French Flanders was over-run, a peace upon the terms of security, and upon such terms as we had not now either reason or right to expect, might not have been obtained? If the war had been really defensive, if it had been undertaken only to resist encroachments, terms ought then to have been offered upon which we might have procured reparation, security and indemnity. Terms were offered by the French: Maret was sent here commissioned to offer terms. But they were rejected. Upon what principle? Not because we were fighting about a limit, about a boundary; but for that security which could only be obtained by the destruction of their government. He would not say that it was expressly stated that the ancient monarchy should be reinstated, though, by the by, Lord Hood, in his declaration at Toulon, had impressed that opinion upon every part of France; but both then, and at every time since, it had been

the avowed object of ministers in the war, to destroy the jacobin government. Was the jacobin government destroyed? Was the government founded on the rights of man at an end? Had the declaration of the 19th of November 1792, been any otherwise abandoned than it had been two years ago? Why had they not then treated before? Because they had objected to treat expressly with any government founded on the rights of man. He would not say that the right honourable gentleman had gone the length of asserting that it would be a *bellum ad internecionem*; he had said there might be a case of extremity, but he made use of a quotation which had this effect, that it left an impression of his meaning on the memory, and the words were not liable to misconstruction. His quotation was,

——"Potuit quæ plurima virtus
Esse, fuit. Toto certatum est corpore regni."

Such was the right honourable gentleman's declaration. But now we were come to a government when we might surrender all our former assertions, and safely treat for peace. Had we then obtained the objects of the war? The first was our obligation to defend our ally, the States-General. He had always lamented the fate of that unhappy people. They were entangled in a situation, from which, whoever were conquerors, they could not escape; whoever gained, their ruin was inevitable. Had we saved our ally? It was the boast that we had taken the Cape of Good Hope. Good God! was this safety for Holland? We had abandoned their possessions in Europe to France, while we had marked out their dependencies in the East for our share of the plunder. Our protection was like that of our allies toward Poland; we divided it for its safety; and it was an argument for having abandoned all its European possessions to France, that we had seized, or were about to seize, on all its Asiatic territories for ourselves.

He could not help again digressing to one of the attacks which had been made upon himself. What, it had been said, would you be so dastardly as to negociate for a peace with France, and leave Holland in their hands? Now even from this attack he was delivered, ministers had agreed to become the dastards, and to treat with France, possessed of Holland. This they must acknowledge, or agree with him that there was nothing dastardly in the proposition last year. He wished to God it were as probable now as it was then, that it might be recovered by negociation. He still trusted it would be so. But there were other reasons that now induced them to negociate for peace. The domestic state of this

country was changed. He could not avoid remarking how the arguments varied. If they were speaking upon the sedition bills, and he were to assert that there were no excesses in the country, that called for such unconstitutional restraints, he should instantly hear a set of pamphlets and hand-bills read, to prove that Great Britain was almost in a state of rebellion; but if he were to demand, why the present was a more fit time than any other to negociate for peace, he should instantly be answered, because we were happily safe at home against all danger of jacobin principles. If he should say, that by the increase of our debt, and the growing load of national burdens, there was much discontent in the country, it would be answered, No such thing; the example of France has checked every symptom of discontent with the present order of things. Then why pass the abominable bills? Why? it would on the other side be answered, because there was something so perverse and obstinate in the seditious multitude, that nothing but depriving us of our constitution could make us safe. In this way did they reason. Each measure had its own stile of argument; and it was thought necessary to insult the understanding, as well as to impose chains upon the person.

We had failed, then, in Holland; and we had failed at home. What had we done for the rest of Europe? What for Prussia, for Spain, for Austria? What had been the fate of the war in general? His honourable friend had spoken generally of our disasters, with the exception of our naval exploits. The right honourable gentleman, with that peculiar cast of candour which belonged to himself, had thrown out an insinuation that his honourable friend had forgotten the achievements of his illustrious father. What fortunate impression his candid sneer had made upon the House, he would not inquire. His honourable friend had spoken generally of the disasters of the war, without thinking it necessary to enumerate the particular instances in which, under the conduct of great and gallant officers, even the incapacity of ministers had not deprived the British arms of glory. But what great advantages had we obtained in the West Indies, except the glory of Sir Charles Grey's achievements? Would any man say that the manner of the loss of Guadaloupe and St. Lucie did not make us lament their previous conquest? Again, therefore, he asserted, that the war had been disastrous, inasmuch as we had failed in every object. We had lost Holland, which was one object of the war; and we had settled and rivetted discontent on the minds of the people of England, not merely by the calamities arising from the war,

27050

but from the measures we had taken, and were now taking, to stifle that discontent.

Peace, however, was now said to be near. Perhaps he thought it was near, but he did not think so on account of the message from the throne. He thought so because ministers felt the sense of the country to be declared against the war; because, however they might affect to misrepresent the feeling of the country in their speeches, they felt in their hearts, that there was not one man in the kingdom, the race of money-jobbers, contractors, and interested persons only excepted, who was not sick of the war, as well as of the miserable pretexts for carrying it on. He thought, therefore, that to fix ministers to the point, they should adopt the amendment, which contained a much more clear and specific declaration than that contained in the address. He knew that it was a vulgar opinion, and surely it was the most vulgar of all vulgar opinions, that the proposers of a negociation, always stood the worst chance in that negociation. He wished to know one instance in which this had ever been the case. In the present circumstances of Great Britain and France, he thought the advantage was evidently on the side of the proposers. For in both countries there was an evident desire for peace in the great body of the people; so that it would be impossible for the executive government of either country to reject any proposals which might be made, if they were not altogether unreasonable. If, therefore, at this moment, we were to make proposals to France, if they were not grossly dishonourable, their committee of directory and council of ancients, would not dare to refuse them, because, by refusing them, they know that they would lose the confidence and respect of the people.

The right honourable gentleman had not thought it necessary to open his motion for the address, with any exposition of the reasons why the message had been brought down at this very remarkable conjuncture. The speech from the throne was made on the 29th of October, and then no such intimation was given; but the right honourable gentleman had said, that a declaration tantamount to the present was made in the king's speech, and that the people from that speech would have been justified in expecting the present message. They must judge of the impression by the effects. The speech from the throne had produced no sensation on the funds. What had the message produced? A rise in the funds that day of 5 or 6 per cent. He came therefore now to a material part of the present inquiry. Why had not the right honourable gentleman made known the substance of this message before, or at least why not stated his reasons in justi-

fication of doing it at this most suspicious moment? It had been the good practice till his time, of closing the loan only the day before it was opened to parliament. If the right honourable gentleman had made his loan in that way, he must acknowledge that with the words of this message in his pocket, he ought to have made terms materially different. If he had this message in his mind, and felt himself bound not to make an open loan, in what predicament did he stand? Messrs. Boyd and Co. very handsomely left it to him to propose the terms; then, with the knowledge of this intention, ought he not to have made a bargain upon the ground of the impression which this message was calculated to make? Were the circumstances of the country such, that he was bound to make the bargain a week before he opened it? Perhaps the suspicion was well founded, that his secret contract with the gentlemen, on account of bills coming due on the 10th of December, stipulated that the bargain should be made before that day. But he called upon every gentleman who heard him to say, if he could believe it possible, that any change could have happened so material as to justify the concealment of this intimation until after he had made his bargain, and then to bring it forth to swell the bonus to such a height; or, if any circumstances had arisen to justify the concealment then, and the intimation now, to say why the right honourable gentleman should not be called upon to state them. A loss had been suffered by the public of not less, on the meanest computation, than one hundred and fifty thousand pounds. This had been put into the pockets of persons who talked loudly of their independence, and of the disinterested support they gave to ministers. It was not his practice to impute any thing personally corrupt to the right honourable gentleman, and he did not impute to him any thing of the kind now; but he did think that, in decency and in duty, in regard to himself as well as to the country, he was called upon to explain this extraordinary transaction. It was a direct robbery upon the public of 5 or 6 per cent. upon the whole loan, if with the knowledge of his intention he made his bargain without a public declaration of the change that had taken place; and he must prove that he did not know of this change but a week before he declared it. The change however was now announced. He trusted the declaration would not have the fate of former declarations. He should rejoice in the day of peace, come when it would. When it did come, he should certainly be thankful; but he should by no means consider the restoration of peace as superseding the necessity of an inquiry into the origin, principle, and conduct of the war. For if this were neglected, it might establish a precedent upon which any minister might under

take a war without principle, conduct it with incapacity, and be acquitted of all his misdeeds immediately upon the patching up a peace. He trusted that, with the return of peace, we should also have a return of the constitution. He should truly rejoice if, with the blessings of peace, we were also to have the next desirable blessing, that of freedom, of which we were about to be deprived. With regard to some persons in the cabinet, with whom he had been long in the habits of agreement and friendship, he knew not what effects peace was to produce upon them. They had differed upon the principles of the present war. If peace should put an end to the differences between them, and restore them to their former habits of thinking and acting, he should undoubtedly see the day with peculiar sensibility. He owned, however, that he had very little expectation of such an event. He was not so sanguine as to look for such a return. However that might be, he should ill discharge his duty to his country, if he did not steadily resolve to do his utmost to bring ministers to a strict account for all the calamities that this war had engendered. He sat down, begging not to be understood as opposing the address, or disapproving of the sentiments it contained. He only wished that it had gone as far as the amendment which had been proposed by his honourable friend.

Mr. Sheridan's amendment was negatived without a division; after which the original address was agreed to.

MR. WHITBREAD'S BILL TO REGULATE THE WAGES OF LABOURERS IN HUSBANDRY.

December 9.

MR. WHITBREAD presented to the House a bill "to explain and amend so much of the act of the 5th of Elizabeth, intituled, 'An act containing divers orders for artificers, labourers, servants of husbandry, and apprentices,' as empowers justices of the peace, at, or within six weeks after, every general quarter sessions held at Easter, to regulate the wages of labourers in husbandry." The bill was read a first time. On the motion for the second reading, Mr. Whitbread said, that he had brought forward this bill under the idea that it was possible, by adopting its regulations, to give great relief to a very numerous and useful class of the community. The act of Elizabeth empowered justices of the peace to fix the maximum of labour. This bill went only to empower them to fix the minimum. However, the House might

decide with respect to his bill, he trusted at least that the act of Elizabeth would be repealed. He should move that the bill be now printed, and read a second time on an early day after the holidays.

Mr. Fox said, that the bill was undoubtedly a bill of great delicacy and importance, and with respect to which, he admitted that, to a considerable extent, there might exist a rational difference of opinion. The act of Elizabeth, as his honourable friend had truly stated, empowered the justices to fix the highest price of labour, but it gave them no power to fix the lowest. It secured the master from a risk which could but seldom occur, of being charged exorbitantly for the quantity of service; but it did not authorise the magistrate to protect the poor from the injustice of a griping and avaricious employer, who might be disposed to take advantage of their necessities, and undervalue the rate of their service. If the price of labour was adequate to the support of the poor in ordinary times, though not equal to the accidental high price of provisions at the present moment, it might be contended, that there was less necessity for any new legislative regulation. But, taking the average price of labour for some years past, including that period during which the scarcity had operated, no man could deny that the price of labour was greatly disproportionate to the rate of provisions. That the general price of labour should be adequate to the support of the general mass of the community was indisputably a right principle. They all knew that a very extensive tax was exacted from the country, under the denomination of poor rates, and that such a tax must be continued. It was understood, that to this fund none could apply, but those few to whom, from particular circumstances, their labour might not be sufficiently productive to secure an adequate support. But he feared that the reverse was the case; that the exception was with respect to the few who derived sufficient means of subsistence from their labour, and that the great mass of the labouring part of the community were under the necessity of applying to this fund for relief. If the House, as was proposed, were to form an association, in order to pledge themselves to use only a particular sort of bread, with a view to diminish the pressure of the scarcity, ought they not at the same time to form an association, in order to raise the price of labour to a rate proportionate to the price of the articles of subsistence? With this view, he called upon the House to consider the principle of the bill and its provisions. He would call upon them also to attend to the subject, in a constitutional view, though he could not hope, from the complection of recent

transactions, that this was a view of the subject which would have great weight. It was not fitting in a free country that the great body of the people should depend on the charity of the rich. In the election of members of parliament, all those were strictly excluded from exercising any franchise, with a very few exceptions, who had at any time received relief from the parish. Was it becoming in a country like this, that the general mass of the labouring part of the community, excepting those who derived relief from the bounty and generosity of individuals, should be excluded from the exercise of their most important privilege as freemen? He admitted many of the rich to be humane and charitable; but he could not allow that those who were the most useful and industrious members of society should depend upon a fund so precarious and degrading, as the occasional supplies derived from their bounty. If the price of provisions had for two years been such as to put every poor man under the necessity of applying for the aid of parochial charity, and if that circumstance constituted a positive disqualification with respect to the exercise of a constitutional right, what, he asked, was the state of a country which first compelled every poor man to dependence, and then reduced him to servitude? If they were to go into associations, pledging themselves to use a particular sort of bread, with a view to alleviate the scarcity, it was surely of more importance that they should associate in order to redress the more material grievance, and strike at the fundamental source of the evil. With this view he should be glad, as he had already suggested, to see an association in order to put the price of labour upon a footing adequate to the rate of provisions. If the regulations of the present bill should not be adopted, he should be happy that any other legislative enactments should be brought forward, in order to afford relief and protection to the poor.

February 12. 1796.

Mr. Whitbread moved the second reading of his bill. He was supported by Mr. Honeywood, Mr. Lechmere, and Mr. Fox; and opposed by Mr. Burdon, Mr. Buxton, Mr. Vansittart, and Mr. Pitt.

Mr. Fox said, it was necessary for him to say a few words to explain the reason of the vote he should give, if there should be a division upon the subject. No man was more against the idea of compulsion as to the price of labour than he was himself. His opinion he had often expressed to be on the other side. The question now was, not on the general

principle, but on that particular state of the law, which rendered some measure necessary to be adopted for the relief of the labouring poor, while the law, as it stood, was saddled with so many restrictions. He approved of the bill proposed by his honourable friend, as calculated to correct that which was bad in its present operation, and to secure at least to the labourer the means of partial relief. But if the House objected to the measure as improper, if they were of opinion that it was not the most judicious or desirable that might be applied, under all the circumstances of the case, he hoped that they would go to the root of the evil, and provide some remedy adequate to the extent of the grievance. If, therefore, they should give a negative to the second reading of the bill, he should consider that by so doing they pledged themselves to take the subject into their early and most serious consideration. And however eligible the proposition of his honourable friend might be, he was convinced that if what he had brought forward should induce the House to go into a full examination of the subject, and to provide a remedy commensurate to the evil, he would not only have accomplished his own benevolent intentions, but would have done a much greater service to the country, than even if the bill which he had now brought forward were adopted.

The motion for the second reading of the bill was negatived.

Mr. Grey's Motion for Peace with France.

February 15.

THIS day Mr. Grey moved, "That an humble address be presented to his majesty, stating, that it is the desire of this House, that his majesty may graciously be pleased to take such steps as to his royal wisdom shall appear most proper, for communicating directly to the executive government of the French republic, his majesty's readiness to meet any disposition to negociation on the part of that government, with an earnest desire to give it the fullest and speediest effect." He observed, that contrary to general expectation, the ministry, in lieu of a negociation for peace, were making preparations for a continuance of the war. But with what well-grounded hope of success could they persist in this unfortunate system? There was no confidence nor unity of views in the remaining parts of the coalition; and yet this country was to bear the weight of this pretended alliance in favour of the common interest of Europe. The public was exhorted to rely on the dis-

cretion of ministers: but were they worthy of any trust, after being deceived in their allies in the most material points, and still expressing a forwardness to depend on promises so repeatedly broken? The French, it was now acknowledged, were in a situation to be treated with; we ought, therefore, no longer to stand aloof.—Mr. Pitt opposed the motion. He urged the necessity of confidence in ministers, and observed that, if the House thought this confidence could not be safely vested in them, the proper mode was to address his majesty for their removal. He asserted that the French had almost exhausted their means of carrying on the war; and said that, since his majesty's message had been delivered, ministry had taken every measure, consistent with the interests of the country, to accomplish the object of it. The point to be considered was the probability of obtaining just and honourable terms; but such terms must be very different from those which the public declarations of the French had for a long time past indicated.

Mr. Fox rose and said:— Notwithstanding, Sir, the mode of arguing which the right honourable gentleman has adopted this day, in introducing matter somewhat irrelevant to the question at issue, I intend to confine myself almost entirely to the subject of my honourable friend's proposition. The House will pardon me, however, if I make a few preliminary observations upon the manner in which the right honourable gentleman commenced his speech. Far be it from me to discourage any inclination that may be shewn to negociation, or in any degree to retard the advance to peace; for whether the season for negociation be advantageous, when compared with those which have occurred at periods which are past, it is certainly advantageous, when compared with any that may be expected in future, however numerous our victories, or however unprecedented our success. I cannot, however, refrain from saying a word or two upon the past, not with a view to exaggerate the difficulties of the present, but merely in my own vindication, for having proposed pacific measures, when they were refused to be adopted. Will it be said, that when the Low Countries are in the hands of the enemy, when Holland is become a province of France, and, when they are in possession of St. Lucie and St. Domingo, that we are in a situation in which more honourable terms of peace may be expected, than when they were driven out of the Dutch provinces; when they were routed in every battle in Flanders; when they were compelled to retreat within the limits of their own territory; when Valenciennes was taken; when a considerable impression was made upon them by the emperor in the north, and by Spain upon the south; in short, when they did not hold an inch of ground without the boundaries of Old France? Then we were told, that it would be hu-

miliating for the country to offer terms of peace, and that we should wait till the misfortunes of our foes should lay them prostrate at our feet.

When I proposed a pacification in the beginning of the year 1794, I was told, that the late campaign had exhibited a series of triumphs more brilliant than any which the annals of the country could boast. Last year a negociation was moved for, before Holland was totally lost, the recovery of which was assigned as a principal cause of the war; and then it was said, that any proposal on our part would be degrading to the honour of the country. I hope, however, that he who thinks it possible to propose an honourable negociation now, will no longer accuse us of having entertained a wish to humiliate the country, by advising the government to offer terms of peace, under circumstances in which it was infinitely more advantageously situated. My argument at present, does not turn upon the propriety of proposals for peace coming from one country more than from another, but upon the seasonableness of the time. I perfectly agree with the right honourable gentleman, that the present is the most proper season which may well occur, and in the faith that he is inclined to improve it, I have the less disposition to press the errors of the past. But here a question occurs — Who shall make the first step towards peace? In all wars, I think, this is a point of little importance; and in this war, I think it of less importance than almost in any other. When hostilities commenced between the countries, the French held it out as a principle, that they were determined to propagate their government all over Europe. How long they persevered in maintaining this absurd principle, it is of little consequence now to decide. Suffice it to say, that it afforded a real or ostensible ground of hostilities, and that the principle has been formally renounced in an official declaration, abjuring all interference in the internal government of any country. This is an example which we ought to follow; and when the French have announced themselves at amity with the English constitution, the English government ought to abandon every idea of intermeddling in the affairs of France, or of altering any form of government which they may think proper to adopt. Perhaps I may be told, that even if terms of peace be proposed by this country, they may be rejected by the French, and that this rejection may render it necessary for us to interfere in the settlement of their form of government. But if we do not formally publish the declaration, we may at least announce our readiness to make it. And even then we do not go so far as they have done.

There was a word in the minister's speech, which, not-

withstanding all its pacific complection, I was sorry to hear, and which to me appeared to indicate, that it is his opinion, that the present government of France has not arrived at that crisis which was particularly described in his majesty's speech. It was this, that the French government were perhaps disposed to grant to this country, as a compensation for all the losses which it has sustained from the war — the honour of its fraternization. But, does the French government persevere in that system now? I hope and trust it does not. And if it does not, why rake up the recollection of former wrongs, and renew the causes of discord which no longer exist? The subject, however, chiefly depends upon a question of time. On the 8th of December, a message was sent down from his majesty, stating, that the affairs of France had arrived at such a crisis, as to render negociation possible. On the 29th of October, in his majesty's speech, there was a paragraph upon the subject, the meaning of which appeared to me to be by no means clear. We were told, however, that it was afterwards explained, and that the subsequent message was nothing more than the natural consequence of the king's speech. If, then, the ideas conveyed by the message were hypothetically the opinion of the minister, who was certainly to be considered as a principal assistant in framing the speech, we are to trace the measures of government back to the 29th of October. But even supposing that the 8th of December was the earliest time that the king's cabinet ministers formed any definitive opinions upon the subject, when we take into consideration, not only the lapse of time, but the very extraordinary circumstances attending that lapse of time, it is natural to ask, did it require two months (or if we date it from the 29th October, did it require three months,) to come to an understanding with our allies; or rather, was it not reasonable to expect that something might have been done in that time? The expectation was the more reasonable, when we consider what those two months were. They were not two months in the heat of a campaign — they were not only in a season, when God and nature united to create an armistice, but when an armistice had actually taken place — they were not during the sitting of the parliament, (though I am not one of those who consider the sitting of parliament as an impediment to negociation,) but during a parliamentary recess, prolonged, as the friends of the minister gave out, for the purpose of leaving him unshackled to carry on the negociation. When these circumstances are considered I wish to know why no steps have been taken?

I must here advert to a passage in the right honourable gentleman's speech, in which he represented it as having been the policy of France to divide the allies, and when she,

was on the eve of sinking beneath their combined pressure, to detach some of them from the confederacy. Perhaps I am not so well acquainted with the circumstances of the war as the right honourable gentleman, or at this moment I may not have such a lively recollection of the details of its history; but I certainly do not remember any peculiar difficultics under which the enemy had the misfortune to labour at the particular conjuncture when our allies seceded from the treaty. I do not recollect that France was in circumstances of particular difficulty, when the King of Prussia renounced the cause of the allies. I do not recollect that France was in a situation of unusual hardship when she concluded a peace with Spain. Nor do I recollect that the Elector of Hanover and the other German princes were exulting in the abundance of their victories when they commenced a negociation. On the contrary, I think I have heard that Spain sued for peace, not when Spain was in the unimpaired possession of her territory, but when the principal provinces of the empire were in the hands of the French. Nor from any information which I have received upon the subject, can I pay such a compliment to the King of Prussia and the princes of Germany, as to say, that they offered terms of peace to the enemy when they were in the career of conquest, and the zenith of their glory. I confess I cannot see (if the professions of the right honourable gentlemen be true) what renders an explanation of the proceedings of the government of this country a subject of so much delicacy in the present war. If he admits that he is engaged in a clandestine negociation, of the benefit of which he means to deprive our allies, and of which, of course, he would wish to keep them ignorant, then I conceive some motive for his conduct, and I am ready on such a supposition to allow his argument, if not honourable, to be at least logical. But if, as he declares, he is really acting in concert with our allies, where would be the harm, if he were to lay all the papers which have passed upon the subject before the House? And here I cannot refrain from making one observation on the difference of situation, in which we have stood with respect to our allies in the course of this contest. I cannot help remembering a glaring defect which was pointed out last year, in the terms of the loan which was then voted to the emperor. It was then objected, that we did not bind him to persevere in the prosecution of the war longer than he thought fit. The answer was, if we bind the emperor to prosecute the war, we must ourselves come under the same restriction. And now we are told, we cannot make peace, except in concert with our allies. I mention this merely to shew the different representations that are given of matters according to the pressure of different arguments.

The right honourable gentleman has given us to understand something in his speech. It is material to know what he really intends to convey, to understand how much, and the precise value of what he has advanced. I understand him to have said, and I beg to be corrected if I am mistaken, that measures have been already taken by ministers, with a view to avail themselves of whatever circumstances may occur favourable, either to making or receiving overtures of peace with France. I certainly do not mean to quibble upon words, and therefore it cannot be supposed that he can mean a continuance of the war to be one of those measures which he hopes are introductory to negociation. If it be understood, that since the message of the 8th of December, he has endeavoured, by means of communication with our allies, to learn the grounds on which they wish to negociate, this certainly is something; but it is an instance of tardiness for which it is difficult to account. And even admitting these steps to have been taken, it still remains a question of serious urgency, whether the motion of my honourable friend ought to be agreed to by the House? That the manifestation of a sincere desire to negociate would in this country produce an effect highly popular, is a fact not to be disputed. To the rest of Europe such an inclination would be no less grateful; and I will put it to the judgment of the House, if they really think the country will make worse terms of peace with France, because the French government know our desire for peace to be sincere? Is it not to be feared, on the other hand, that the mutual alienation of affection, and the mutual distrust which have subsisted between the countries, will create a more serious difficulty with respect to the success of any negociation, than even the terms that may be proposed? In former wars, we have found that the obstructions to pacification arose more from the temper of the adverse countries, than the specific terms which were brought upon the tapis. In the war of the succession, which, without exception, was the most glorious of any that this country was ever engaged in, is there a Whig at this day so bigotted as not to believe that the conferences of Gertruydenburg might have led to peace, had they been properly conducted, and that the prolongation of the war arose from unextinguishable jealousy, and unyielding rivalship? I am not so sanguine as to expect that no difficulty will arise in negociation about terms. I wish to God that the situation of the country were such as to afford any reasonable ground for such an expectation. But what I contend for is this, that such has been the asperity displayed on both sides, in the course of the contest, that the temper of the governments will occasion a difficulty no less formi-

dable, than any that may occur in the discussion of terms — a difficulty which I am sorry to say the concluding part of the right honourable gentleman's speech was by no means calculated to remove. It may be said, that the language held by the directory was insolent in the extreme. But because insolent language is held by the directory of France, is that a reason why the government of England should assume the same tone of insolence? Were we to adopt conciliatory language, the effect would be immediate upon the temper of the French government in softening asperity, and silencing abuse. And if such would be the effect in France, what might not be expected here?

It was stated by the right honourable gentleman that the motion of my honourable friend, if agreed to by the House, would so cramp, fetter, and humiliate government, that it would be impossible to negociate with honour. This is an objection which has been stated so often in the course of the war, that it has entirely lost its force. When on a former occasion it was proposed to declare the government of France in a negociable situation, the proposition was rejected with scorn, and now this very declaration has been made by ministers, and we have experienced no inconvenience from it. As to the prerogative of the crown of making peace when and how his majesty pleases, no man doubts of it; but no man, on the other hand, will doubt of the prerogative of the Commons of England, to advise his majesty, both as to the time and the terms of pacification. The present is not a matter of right, but a matter of discretion. I have put a case before to the House, which is so appropriate to the present circumstances of the country, that I may be allowed to quote it again — the case of the American war. In the course of that war, we heard from a noble lord, that it was the height of indiscretion in parliament, to interfere with the prerogative of the king in making peace. Parliament wisely rejected the noble lord's argument, and not only declared that America was in a negociable situation, and that the states should be acknowledged as independent, but they even declared that no offensive war should be carried on against America; and this very declaration enabled the right honourable gentleman and his associates at that time to conclude a peace, the terms of which were certainly not such as the country, in my opinion, had reason to expect from its circumstances at the time, but which redounded much to his credit, when compared with the misfortunes to which it had formerly been subjected.

There are certain bugbears which have always been held out by ministers to parliament, and which have been disposed of according to its good sense at the time. The pretences of

state secrets, and parliamentary confidence, have always been held forth as a shield for the measures of the servants of the crown; fortunately for the people, however, their constituents have not been always inclined to pay that attention to them, which to superficial observers they may seem to claim. As to the state paper to which the right honourable gentleman referred, and which he said was published at Hamburgh, and was industriously circulated in this country, I have not seen it, and therefore am not qualified to reason upon it. But allowing the sentiments of the directory on the subject of peace, to be as wild, fanciful, and extravagant as it is possible for them to be, that is no reason why these sentiments ought to deter us from offering terms of peace. The time in which we live, is a time in which government must pay some attention to the opinion of the people whom they are appointed to govern. Were a disposition for peace, on the part of the government, discovered to the people of England, it would diffuse general happiness over the kingdom; and if it was made known to France, I am convinced that her concessions would be as ample as we could wish. As to the popular opinion in this country, it has for some time been evidently against the war; and I say it to the credit of ministers, that they have sacrificed something to the constitution of the country, in permitting the opinion of the people respecting the war, to have some weight in regulating their conduct. If the demands of France are exorbitant, let us meet them with reasonable overtures on our part, and moderation will have a greater effect than the most strenuous resistance, in relaxing their exertions. I know reason has too little to do in the government of the world, and that justice and moderation must often yield to power and lawless might. This has been unhappily exemplified in the fate of Poland. Still, however, it is no light matter in national as well as private concerns to have reason on our side. I know I have been sometimes thought absurd, when I argued, that honour was the only just cause of war; but I still believe, and there has been nothing in late events to contradict the opinion, that reason and justice in any cause are the most powerful allies. If this be the case, let us manifest to France, to Europe, and to the world, a spirit of moderation; and let us this night address his majesty to commence a negociation with the republic of France. I say the republic of France; for there is more in names than one would sometimes be apt to imagine. Ministers have talked of "the French rulers," of "persons exercising the government of France," &c. If they are serious in their intentions of making peace, they must hold a language more explicit. They have sent an am-

bassador (Lord Macartney) to the court of Louis XVIII. Do they imagine, after such an insult to the present government of France, that a negociation can be entered upon without a previous and direct acknowledgement? That government has been recognised in various acts, both by us and our allies; in the exchange of prisoners, the release of the princess royal, &c. There is no injury, therefore, but on the contrary much advantage to be derived from a more full and explicit recognition. At the peace of Utrecht, the negotiation and conferences at Gurtruydenberg were injured by Louis XIV. employing an ambassador in the interest of the pretender: why, then, the Count D'Artois should now be so much countenanced by government as ambassador from an unfortunate prince, I am at a loss to conceive. Is it not highly necessary, then, to make an explicit declaration, that we are really desirous of a suitable and honourable peace. Let us, however, come to the point. Ministers say, all this is very good, if you let us do it; but if the House of Commons suggest it, it is very wrong. Do they think, however, that there is a cabinet in Europe, or even that there is a man who reads a newspaper, who believes, if the motion of my honourable friend were to be carried this evening, that it was forced upon administration? Nay, would he not rather think (if in decency I may be allowed to say so), that ministers had made the House of Commons adopt the motion? Allowing the right honourable gentleman all the confidence which he can desire, as much even as his right honourable friend beside him (Mr. Dundas) reposes in him, nothing could tend more to evince the confidence of the House in administration, than the motion that has been made this evening. Even if it be the etiquette of the minister, that all declarations of this nature shall originate in the crown, (an etiquette which I do not understand,) I would not put a declaration of the crown in comparison, in point of authenticity, with that which the present motion, if carried, would convey. Let him recollect that every moment of delay is a moment of danger, and therefore let him not procrastinate in making the declaration. He may, perhaps, have intended the speech of this evening to serve the purpose of a declaration: but he cannot but know the wide and immeasurable difference between a speech which may or may not go abroad in an accurate manner, and a resolution inserted in the votes of the House of Commons.

I shall not say one word on the relative situation of Great Britain. I am not one of those who are inclined to think despondingly of the situation of the country. But if anything could make me despair, it would be that species of rea-

soning, which, after telling me of the increased national debt, the load of taxes, and the consequent misery entailed upon the people, desires me to look to the ruined finances of France for comfort, which are quickly hurrying that power to the precipice of destruction. So that, in proportion as the enemy retreats from the common abyss which would swallow up both, we are encouraged to be under no apprehension for our own safety. I will allow, that the French may be in greater distress than the people of this country are at this time; but to me it appears to be very poor comfort to the afflicted to hear, that their enemies will fall a little before them. Even supposing France to come and bow at our feet, supposing that Louis XVIII. were to be proclaimed rightful heir of the crown, and supposing that she were tamely to surrender all the conquests she has made, it would be no recompence for the loss that we have already sustained. According tot he statement of the right honourable gentleman, the territorial rental of the kingdom does not exceed twenty-five millions annually. The taxes, if they turn out as productive as they have been estimated, will amount to twenty-one millions, which with the poor rates, will make a sum equal to the whole landed rental. Now, though I am not one of those, who with a late petitioner, (Sir Francis Blake,) think that land pays all the taxes, I think the weight of them lies upon the land, which cannot exist very easily under a burden of twenty shillings in the pound. I am told that things are worse in France; but, will any man be bold enough not to wish for peace, because the finances of France may be in a state still more deranged than ours? Rather than continue the war for another campaign, independent of the moral reasons against its prolongation, I would not unquestionably give up our honour, our dignity, or our liberty, which, till I die, I trust I shall never fail to assert; but I would give up all questions of etiquette and accommodation, and in fact every thing short of what most nearly concerns our character. Let it not be understood that I wish for a dishonourable peace, or peace on any other terms than those which are suitable to the interests, and consistent with the dignity of the country; but I am sanguine enough to think, that even now this country may have fair and honourable terms of peace. The governors of France dare not refuse any reasonable terms which we may offer; if they do, others will then be appointed in their place, who will dare to accept of them. When peace shall be proposed, however, I hope and trust that it will not be proposed on the dividing system, and that this country will never give its sanction to any such transaction as the infamous partition of Poland. Dearly as I love

peace; exclaimed Mr. Fox, and anxiously as I wish for it, that such a peace may never prevail, I most heartily pray. I hope, when peace shall arrive, that the interests of humanity as well as of kings, and that of every particular state will be consulted, and that tranquillity will be re-established on the broad basis of justice, in answer to the prayers of mankind, who are now fatigued with war, slaughter, and devastation.

The House divided on Mr. Grey's motion:

	Tellers.			*Tellers.*	
YEAS	Mr. Grey, Mr. Whitbread	50.	NOES	Mr. Steele, Mr. Adams	189.

ABOLITION OF THE SLAVE TRADE.

February 18.

THIS day Mr. Wilberforce moved, "That leave be given to bring in a bill for the abolition of the slave trade, at a time to be limited;" and then proposed that the said motion be referred to the consideration of a committee of the whole House. The motion was supported with much eloquence and ardour by Mr. Fox, Mr. Pitt, Mr. W. Smith, Mr. Courtenay; and opposed by General Tarleton, who moved the other orders of the day, Mr. Jenkinson, Sir William Young, and Mr. Secretary Dundas.

Mr. Fox said:—The sentiment of opposition, Sir, to this trade is one, which if it has once got possession of the breast of an honest man, it is impossible that any mode of debating or of resisting it should add to the impression which must already be made on his mind. But if it were possible that any mode of resistance to the question of abolition could have the effect of inspiring me with a greater degree of earnestness than I already feel on the subject, it would be that which has been attempted by the right honourable gentleman who spoke last (Mr. Dundas). I confess, that I am not a little indignant at the mode in which he has treated the subject. The honour of the House, the honour of the legislature, and a regard to the principles of the constitution, make me feel warm upon the occasion. As for the general subject, it has been already so repeatedly discussed, that it cannot be necessary for me again to bring it before the view of the House. It has been this night so ably handled by the right honourable the chancellor of the exchequer, whose opinion with this House is

likely to have more weight than mine, that I will not venture to take from the impression of any thing he has said. I must, however, take notice of one assertion of the honourable baronet, (Sir William Young,) that there were many matters cleared up with respect to the characters of the planters. The honourable baronet will give me leave to say, that it is not to those who live among slaves, that I would naturally look for examples of humanity. To the charges which have been brought of the cruel treatment of slaves, I grant there may be many honourable exceptions. But when I am desired to look for examples of the most exalted humanity and benevolence, to those men who framed the barbarous laws of Jamaica; when I am referred, as a model of mildness and mercy, to the conduct of the men concerned in carrying those laws into execution, I must hesitate a little. What, Sir, must be my feelings, when I read of laws by which men are condemned to be exposed in cages to the burning influence of the sun; and when I learn that such laws have actually been carried into effect! From the perusal of such facts I must necessarily recoil, though, upon the whole, I am not apt to believe that the planters are distinguished by any particular inhumanity in the exercise of a power, with which, I contend, no man ought to be entrusted.

I must remind gentlemen, that at present the question is not emancipation, but abolition. How far the argument of my honourable friend (Mr. Serjeant Adair) might go to the point of emancipation it cannot be now necessary to discuss. The question is, Whether we will suffer a horrible injustice to be carried on under the sanction of our laws? The question is not one that interferes with the local jurisdiction of the colonies; it is, whether we shall exert a right, which undoubtedly we possess, to determine with respect to the continuance of a trade, which depends on ourselves? The confusion in this instance has arisen from the idea, that if the abolition takes place, it must necessarily be followed by the emancipation. I hope and trust that it will; but this point I leave for the decision of the proper legislature, with whose province I have no wish to interfere. But we are told, that we ought not to join with the negroes against their masters. Undoubtedly it would to us be matter of greater satisfaction, if we could in this business obtain the concurrence of all the planters. But how does this argument agree with the other statement of the right honourable gentleman, that by agreeing to the abolition we shall afford an argument to Victor Hugues, who will be enabled to say, "The French convention liberates slaves, the British parliament takes no care of them; it abolishes, indeed, the traffic in slaves, but leaves

to their fate those, who are already in bondage?" Indeed, I do not see how this argument can possibly apply, except I were to conceive, that the right honourable gentleman was arguing for the emancipation. I think it is not necessary to employ more than one argument with respect to the character of the House, "Did you not, four years ago, pledge yourselves at this time, to abolish the detestable traffic in human flesh?" The honourable baronet says, that the House then acted from the opinion expressed in the numerous petitions, which were received from different parts of the country. What, then, would you have it go abroad, that the House supposed it right to act from the opinion of the public, in order to ensure a little popularity, and promote their petty interests at elections, and the moment that the pressure of that opinion is withdrawn, conceive themselves to be justified in renouncing the pledge which they had solemnly adopted? And, what is the period at which you choose to hold up the House in this light? — after the passing of the two bills which have thrown difficulties in the way of expressing the public opinion. Is it at such a period you think proper to hold out that you are so much inclined to favour the cause of slavery, in opposition to truth, justice, and humanity, that though you formerly truckled to popular opinion, you now come forward in your genuine colours, and, in violation of the most solemn and deliberate pledge, announce yourselves the advocates and supporters of slavery? If any thing can add to the flagrancy of the case, it is the conduct which has been adopted by the House of Lords since this question came before them. I suppose that it is not regular, in this place, to arraign the conduct of the House of Lords, and therefore I will not arraign it. But there is one ground suggested by the right honourable gentleman, on which I can, consistently with order, advert to their conduct. The right honourable gentleman said, that the House of Lords had as much right to their opinion, as this House has to theirs. Now let me state a case. If, after a long and laborious investigation, on a point deeply affecting the honour of the national character, and the general interests of humanity, their lordships had communicated to us the result of their deliberations, involving an issue of the most pressing urgency, and of the greatest practical importance; and had called upon us for our decision; and if we, after four years, had come to no resolution, and taken no notice of such communication, I have no hesitation to say, that in such a case we should have betrayed our trust, and have had no right to sit as a branch of the legislature. What chiefly appears extraordinary is, that the Lords should take no step at all in the business; that

they should flinch from the proceeding, and abandon it, as it were, to silent contempt. Undoubtedly, every branch of the legislature has a right to expect from the others, either agreement or dissent to any measure, which it may choose to bring forward. And it is well known, that if this House takes the business to the House of Peers, as it ought, it never will experience such mortifying neglect, or such contemptuous silence. The right honourable gentleman will not deny that if a majority of this House cordially concur as to the principle of the abolition, and agree as to the necessity of carrying it into effect with the smallest delay, the House of Lords will also concur in the propriety of taking some immediate steps for the purpose. But if the House of Commons never are in earnest in the business, it is in vain that they carry their resolution to the House of Lords. That House will see through the pretext, they will second the policy, and will suppose, that by such neglect and delay, which amount, in fact, to rejection, they better comply with the wishes of the House of Commons, as to the real state of the question, than by giving it the most cordial reception, and the most diligent attention. It is necessary for the honour of the House, that this reproach should not attach. In order to vindicate the dignity of their character, and the consistency of their proceedings, it is incumbent upon them to shew, by adopting the motion of the honourable gentleman, that if the resolution which they some years since passed for the abolition of the slave trade be rejected, it is the fault, not of the Commons, but of some other part of the legislature.

But it has been said, that if you abolish the trade, other powers will take it up. This is an argument which cannot at all affect the line of conduct which we are bound to pursue. The question is, whether you have not the power of completely abolishing it in your own colonies? Unquestionably you have, notwithstanding what has been urged, that they will still continue to be supplied from other powers. You may certainly as easily put a stop to any contraband trade of this sort, as to the trade which was formerly carried on of importing provisions from America. There is no vigour of means, or language of authority, which you ought not to employ for that object. This country ought to threaten with independence every colony which, after the interdiction of the legislature, should still persevere to carry on this infamous traffic. But it is farther said, that even if the trade were abolished by us, the interests of humanity would not be benefited, and that it would be carried on with circumstances of still greater cruelty and oppression. Upon the same principle might we justify every crime. It might be alleged, that

crimes must be committed in society, and that therefore we will anticipate the criminal purpose, in order to prevent its being perpetrated with more wanton outrage, or determined ferocity. By this reasoning the robber might defend his occupation of plunder; he might say; "It is an advantage to myself, and I exercise it with less injury to others, than more hardened or savage offenders." The same argument might be brought to extenuate the crime of murder; it might be alleged, that it was less reprehensible, because it was accompanied with fewer circumstances of excrutiating torture, or persevering malice.

The right honourable gentleman treated as a figure of rhetoric, the expression, "to drive the shame of this iniquitous traffic from ourselves." A figure of rhetoric! Good God! can any appeal be more forcible and impressive, more directly practicable, more powerfully urgent? Is it nothing to drive from ourselves the shame of such a traffic, at a period, too, when great revolutions have seemed, in future, to demand a more intimate connection between politics and morals; when nations affect to hold out the principles of eternal justice, as the basis of their conduct, and to establish a character for something better than the artifices of intrigue, or the resources of their power? Is it nothing to wipe away the guilt and the stain of a traffic which the right honourable gentleman has himself admitted to be inconsistent with humanity and justice? If the House of Commons still mean to persevere in the trade, for Heaven's sake let them, at least, act fairly and manfully. Let them not use a timid caution, or skulk behind the shameful negligence of others. Let them boldly and openly declare, that after they have confessed the trade to be cruel and unjust, they still mean to carry it on to an unlimited extent.

But the right honourable gentleman has alleged as a reason why we ought to give some quarter to this trade, the respect which we owe to our forefathers. We ought not, forsooth, to load their memories with all that accumulation of guilt which is charged upon this traffic, or to brand with such harsh epithets a practice which they encouraged by their example. Reverence for their characters, and regard to their manes ought to sink the consideration of injustice, and extenuate the horror of cruelty. The tendency of mankind to degeneracy has been a common topic of declamation among moralists and poets. If the complaint be well founded, we ought at least, by getting rid as much as possible of the vices of our ancestors, to endeavour to compensate for the particulars in which we fall short of their virtues. But if antiquity shall be found to sanctify injustice, and reverence for former times to diminish the detestation of cruelty — if

we shall conceive it to be a point of honour to throw a gloss over the crimes of our ancestors, while we are led from a sense of duty to their manes, to copy them in our own practice, then truly the prediction of the poet will be fulfilled —

> " Ætas Parentum, pejor avis tulit
> Nos nequiores, mox daturos
> Progeniem vitiosiorem."

It was amusing enough, however, to hear the right honourable gentleman talk of this pious veneration for the memories of our ancestors, this charitable covering for their failings, and deprecate all harshness of obloquy, and general terms of condemnation as applied to the slave trade, which he had himself previously admitted to be inconsistent with justice and humanity. After this admission, it might have been supposed that few epithets could have been added of more severe obloquy, or more general condemnation. The right honourable gentleman objected that the trade ought not to be abolished immediately, and instanced Grenada, which was by no means in a state ripe for the abolition, and would require for that purpose a period as long as had been granted from the date of the former resolution. That was a point which would come regularly to be discussed in the committee, and there, if it should be found expedient, the period of the abolition might be fixed for the year 1799. As to the plan of the right honourable gentleman to effect the abolition by calculations with respect to the ages of the negroes imported, I must remark, that those who think it impossible at once to abolish the trade, and yet conceive that the object may be effected by such regulations as these, strain at small difficulties, and swallow large ones. It has been stated, that it would be desirable for us to proceed with the concurrence of the gentlemen interested: experience, however, has shewn that we cannot hope to obtain it. We do not pretend to legislate for them on the point of emancipation, nor ought we, so far as relates to the abolition, to suffer them to legislate for us. The question is, whether the House, by its present decision, shall shew itself to have been hypocritical or honourable in its former declaration. It is even of more importance. It is whether the nation, after pretending to spend oceans of blood and millions of money, in the cause of religion, social order, and humanity, shall continue to carry on this shameful and unprincipled traffic, and by a conduct so inconsistent with its professions, so injurious to its honour, incur the charge of the vilest simulation, or the most hardened effrontery. It is surely a point of no small importance, whether, under these circumstances, the legislature shall

permit, (and to permit is in some cases to enjoin,) the continuance of a trade, which, after a long and laborious investigation, they have pronounced to be inconsistent with humanity and justice.

But the honourable baronet has discovered a new reason why we should not agree to the abolition. He has said, that we must look to an indemnity for the expence we have incurred in the prosecution of the present war. And where are we to look for it? In the West Indies. So that we shall want fresh cargoes of slaves, in order to cultivate our new territorial acquisitions, and so to render them productive as to constitute an adequate indemnity. Consequently, it turns out at last, that the reward of those crusaders in the cause of social order, justice, religion, and humanity, is to be an increased profit on the slave trade! I, for one, never can consent that the country should purchase an indemnity at such a price. Whether the motion shall succeed or not, I beg leave to express to the honourable mover my thanks for bringing it forward, and my confidence that he will never suffer the question to rest till it is finally decided. If we are influenced by any sense of duty to ourselves, by any honourable principle of action, we shall not suffer a session to pass over without bringing forward the subject for consideration. It is a subject which becomes peculiarly urgent from the situation of the West Indies. Whence arises our weakness in that quarter? Why are we so extremely vulnerable on every side? From the existence of that abominable slave trade; which is as miserably impolitic as it is odiously unjust. The motion is for leave to bring in a bill to abolish the slave trade at a time to be limited. In the committee I certainly shall vote for the earliest day that shall be proposed. It is now about eight or nine years since the subject was first brought forward, and if the House keep their word, they cannot avoid taking some decisive step. It was matter of joy to us, when we learned, that the slave trade was to be abolished in Denmark; but when afterwards we understood that the period of the abolition was not to take place till the year 1800, our satisfaction on the occasion was converted into contempt and ridicule. At present I see no probability that the century will put an end to this shame of Great Britain. I cannot submit to sanction this infamous traffic by mere regulations; there are some things so bad, that even to regulate them, is in some measure to participate in their criminality. Let us send the bill to the House of Lords; if it is there rejected, let us send it up session after session. Satisfied with the grounds on which we have brought the measure forward, let the perseverance of our exertions

correspond with the justice and humanity of our cause, and let us at least prove that we shall not be wanting to vindicate the honour of our character and the consistency of our proceedings.

The House divided on General Tarleton's motion, "That the other orders of the day be now read."

	Tellers.			*Tellers.*	
YEAS	Gen. Tarleton Sir W. Young	67.	NOES	Mr. Ryder Mr. Rob. Smith	93.

So it passed in the negative, after which Mr. Wilberforce's motion for leave to bring in a bill for the abolition of the slave trade, at a time to be limited, was agreed to.

March 15.

On the order of the day for taking into consideration the report of the committee on the bill for the abolition of the slave trade, at a time to be limited, the bill was again strongly opposed by Sir William Young, General Smith, Mr. Rose, Mr. Secretary Dundas, and General Tarleton; and as strongly supported by Mr. Francis, Mr. Fox, Mr. Montagu, and Mr. Pitt. In reply to what fell from Mr. Dundas,

Mr. Fox rose and said: — As the right honourable gentleman seemed in some part of his speech particularly to allude to me, I am desirous to take this opportunity shortly to give my opinion on the subject of the debate, which at all events I should have felt to be necessary in the course of the evening. I am glad that the right honourable gentleman has found himself sufficiently recovered to attend on this occasion, and more especially that he has been able to enter into so full a discussion of the question. When, Sir, we consider his abilities, his opportunities of acquiring information on the subject, and the great attention which he has paid to it, we may flatter ourselves that we have now heard the whole force of the argument against us. When I say against us, I am aware that I do not use the most parliamentary way of speaking; but I must confess, that I have been so long engaged on one side of the question, that I have now formed a strong predetermined opinion. I do not affirm that I am not to be shaken by reasoning, but so intimately interwoven is my conviction, that I cannot easily be persuaded, that any reasoning can be found to induce me to alter it. There were many parts of the speech of the right honourable gentleman, which must be considered as highly favourable to the cause of those who are friends to the abolition. The

whole of his argument is a complete answer to those advocates on the other side, who contend, that the question ought to be left at rest, that the discussion is highly improper, under the peculiar circumstances of the present time, and that it ought not at all to be agitated. I am happy to find that the right honourable gentleman and myself agree in our premises, however we may differ with respect to our conclusion. He admits that the trade is not only inconsistent with humanity and justice, (and I should suppose, when I had got that I had not much to ask,) but with policy and prudence in time of war. It appears, then, that we only differ as to the mode of abolition.

The right honourable gentleman states a powerful objection to our mode, if it be well founded; namely, that it is impracticable. Let us examine it, as contrasted with that mode of abolition which he has himself proposed, and see to which of the two this objection of impracticability may most justly be applied. First, the right honourable gentleman states that our mode cannot be carried into effect without the consent of the planters, which we cannot expect to have. I have no hesitation to state, that if to the accomplishment of the abolition of the slave trade, we attach, as a necessary condition, the consent of the planters, we do not see the question in a fair and manly light. What ground of hope have we, even from their professions, that they will ever be induced to give their consent to such a measure? And if we advert to what has been their conduct in every former instance, we cannot have the smallest prospect that such an event is ever likely to take place. On a former occasion, I trust I may make the allusion without any irregularity, [Mr. Fox here alluded to the line of argument adopted by Mr. Dundas, when he proposed his plan of gradual abolition,] I remember great pains to have been taken to hold two different languages to the different parties in this question, to persuade the planters that if they did not accede to terms of gradual abolition, an immediate abolition would be effected; and the enemies of the trade, that if they did not accept of their object upon the same terms, there would be no abolition at all. This attempt to persuade both parties completely failed. It did not succeed with me, because I was persuaded that the abolition might be effected in a different manner; and I have not understood that it has gained one proselyte among the West Indians. The right honourable gentleman says, that whatever laws may be passed, the traffic in slaves will not be extirpated, and that the whole of the navy of England cannot prevent illicit intercourse. I am fully aware of the truth of this position, and

of the inefficacy of laws to suppress any commerce which holds out the tempting prospect of high profit; but this refutes the reasoning of those who condemned the severity of penalties imposed by the present bill; as it is evident that the rigour of the penalty ought to be in proportion to the difficulty of suppressing the offence. In this respect, therefore, the right honourable gentleman made the fullest defence of those penalties, which have been so much reprobated. On the penalties themselves he did not dwell much; in fact, he did not seem to take them at all into his consideration. When he asked, "Will it not be practicable to smuggle, notwithstanding the operation of the law?" ought not another question to have suggested itself, "Is it not also possible, that those concerned in smuggling may be detected?" ... it not be expected, that the law will at least have some e... in securing the object in view; that in some instances vigilance of its operation will arrest the criminal; and t... in others, the contemplation of its penalties will prevent t...e offence? But another objection is, that these laws cannot be executed without the co-operation of the West Indians themselves. Are there not already laws in force, prohibiting any intercourse between the West Indians and North America, for the purpose of procuring provisions? Has there been found any deficiency with respect to the observance of those laws? And yet provisions may be purchased more easily than slaves.

Allusions have been made to an expression brought forward by me on a former evening, and repeated this night by an honourable friend of mine, (Mr. Francis.) From the construction put upon that expression, I conceive that it has been misunderstood. My honourable friend did not say, "the West Indies are of little consequence, let them go;" he merely answered a speculation that the consequence of the abolition of the slave trade would be the loss of our West India possessions; a speculation which, by the bye, is very uncertain. To the assertion on the one side, he only opposed an assertion of his own, that even if the speculation of the loss of those islands should be true, we should be as well without them: and then came in the case of America. On that subject, I confess that I hold a different opinion. I consider the loss of America as a grievous misfortune to the British empire. I always should be inclined to coincide with those prudent men, who are not disposed to risk any great stake on the chance of speculation; and if even, in the contest between Great Britain and her colonies, I had been of the opinion of the Dean of Gloucester, that the independence of America was desirable, I should not have ventured to have

acted on that opinion. But in this case, if the West India planters should present the alternative, "either we will separate from Great Britain, or continue the slave trade," I should have no hesitation. I would say, "Separate, go to America, or if you think proper, go to France." When I threaten them thus, I mean to convey, that the separation would be infinitely more inconvenient to them than to Great Britain, and that they are but little prepared for such a step.

The right honourable gentleman entered into a detail of the amount of the importations, but was afterwards obliged to admit, that not much stress was to be laid on a calculation of that sort. He entered also into a speculation with respect to the rivalship of America in point of manufactures. The probability of what this country may suffer from such a rivalship, I consider to be very remote. The extent of land to be cultivated in America, compared even with the increasing rate of population, must retard such an event for a great number of years. But when I venture to put the case of the loss of the West Indies, I talk so from a certainty that there is no danger of such a separation, and from a firm conviction that it cannot be the result of the present bill. As to the point of right, I affirm that, from the nature of the connection, no right can be more unquestionable than for the legislature of Great Britain to interfere in regulating the external commerce of her colonies. The right honourable gentleman says, that if you cut them off from one branch of trade, you become yourselves bound to supply the deficiency. In point of fact, the argument is not founded, for you have already interdicted them from many branches of commerce, which you do not supply. But what is the extent of his argument, as applied to the present case? To say that you are bound to supply the West India planters with slaves with your own hands and your own capital, till such a time as those gentlemen are convinced that no fresh supplies are necessary, is to suppose that you have formed something like the worst of all contracts. It is to suppose that you have sold yourselves to the Devil to the end of time, and are engaged to do his service, without the possibility of redemption. When the right honourable gentleman talks of the danger to be apprehended from slaves newly imported from a country, where neither from religion, morality, nor philosophy, they have acquired any laudable sentiment or good disposition, where neither precept nor example has concurred to form them to amiable manners and habits of virtue, what is the obvious inference? If there is one country in the world so peculiarly unfortunate, so totally depraved, is not this wretched picture of our nature owing to the existence

of that abominable traffic, which thus tends to eradicate from the character any thing good, amiable, or even human? Can there exist any obligation to be the conductors of such a trade? We cannot have made such a contract. If we have, it is one of those few contracts, which ought to be violated.

The right honourable gentleman, in taking notice of the particular clauses of the bill, lamented that there should be one, enacting, that those slaves, who are already in the islands, should be taken from one island to another, and thus separated from their acquaintance, and the connections they may have formed. If such are his feelings with respect to a removal from Barbadoes to Jamaica, if he conceives the attachment which binds them to the place they have once inhabited to be so strong, with what sentiments must he contemplate that separation which they, in the first instance, experience from their native soil—that separation which breaks asunder all the bands of nature, which tears them from every object of sympathetic fondness, from every scene of early endearment? With respect to the other clause, which enacts, that those negroes who shall be attempted to be brought over for the purpose of illegal commerce, shall be sold, and the money applied to particular purposes, I certainly shall regret its operation, and I sincerely wish that any other mode of disposing of them could possibly be suggested. It is urged against us, "You say, that they are unjustly torn from their friends and their country: why, then, do you not take the means to restore them?" If it were possible to secure this object, I should grudge no expence with which it might be attended. But one of the evils of this robbery is, that it leaves no means of restitution. Should we attempt again to convey those wretches to the coast of Africa, they might only be left to perish by famine, or might be exposed to a repetition of the same sufferings which we now deprecate; and this circumstance in itself I can only consider as a fresh stigma which attaches to this abominable traffic, and a more convincing proof of its foul atrocity.

As to the practicability of the different plans, so far as they are connected with the question of the co-operation of the colonies; if the plan of abolition can be carried into effect with the consent and co-operation of the colonies, my plan is fully as easy and practicable as that of the right honourable gentleman: but if it must be enforced without their consent, his plan is more difficult in execution, and less certain in its operation than mine. Evasion becomes easy, in proportion as distinction is difficult. Would it be harder to punish a man for importing negroes, or for only importing them

above a certain age? In the one case, the enactment is broad and positive, and removes at once all difficulty and deception; the other, the distinction is matter of intricacy and doubt, and opens a wide door for imposition and subterfuge. But is the right honourable gentleman prepared to say, that he is authorized by the West-India planters to state their co-operation to the plan which he has proposed? Have they not constantly opposed the utmost obstacles in their power to every step which has been taken in this business? Did not the act to prevent the exportation of negroes to other islands meet also the opposition of those gentlemen who are enemies to the abolition? Their co-operation we cannot hope, and we never shall have it. Doubts have been attempted to be raised with whom the right rested to decide upon this question. Unquestionably the assembly of Jamaica may decide upon matters of internal jurisdiction, but it belongs to the parliament of Great Britain to regulate the concerns of external trade. It is not fit that the assembly of Jamaica should take upon itself the province of the British legislature. Yet such is the scope of that reasoning, which goes to affirm that this trade cannot be abolished without the consent of the colonies. With respect to the existence of a supposed engagement sanctioning the trade, and pledging the faith of parliament for its continuance; whenever parliament at any time thinks proper to encourage a trade in point of policy, it by no means binds itself either to carry it on, or to compensate for its abolition. When I opposed the commercial treaty with France, on the ground that it would be prejudicial to our trade with Portugal, I never pushed the argument so far as to contend, that because, by a former treaty, we had encouraged the trade with Portugal, we were still indispensably bound to afford it the same countenance, and not to divert commerce into any other channel. But what have we done this session and the last? We have in this country, on the ground of the scarcity of provisions, entirely stopped a great trade, the distillery trade. No proposition can be more evident, than whenever any motive of policy requires a trade to be suppressed, the legislature are immediately authorized to employ measures to suppress it. But the suppression of this trade is called for, not only by motives of policy, but of humanity; and by what is far superior to any considerations either of policy or humanity—the principles of justice.

The right honourable gentleman admits, that without some regulations the trade not only cannot be carried on, consistently with policy and prudence, but consistently with humanity and justice. When he admits this right of regulation, all question with respect to the right of interference is at an

end. If we have a right to stop the importation of all slaves above twenty, why not stop the importation of all? If the right honourable gentleman had brought forward what he stated, respecting a commission, to take into consideration the situation of the West Indies and the claims of the planters, as a specific proposition, I should certainly, in that form, have given it all due attention. At most, it can only weigh as an argument for him, to bring up a clause for that purpose to be inserted in the bill.

In the course of his speech the right honourable gentleman took notice of the unfounded calumnies circulated against the planters, who had been represented as men devoid of humanity. Undoubtedly a great body of evidence had been brought forward to prove, that many acts of cruelty and tyranny had at different times been perpetrated, under the sanction of this odious traffic. This, indeed, is no good reason why the planters, who partake of the characters of any mixed body of men, should be branded with one general stigma. It cannot, however, be denied, that wherever there is slavery, there will be abuse. If, with respect to the West Indies, we judge of the national character from that which has always been considered as its best criterion, the national laws, we shall form no very favourable conclusion. What can be more detestable than the laws of Barbadoes, which have been referred to on a former occasion? And if any thing can exceed the letter of the law of Barbadoes, it is the practice of Jamaica, as described by Mr. Bryan Edwards, a man who is justly entitled to every praise. I do not impute that spirit of cruelty to individuals; it is the inevitable consequence of slavery. This trade, it is said, has existed a hundred years. Slavery, it is to be lamented, is much older. We have had writers on slavery among the ancients, and there we can trace the same effects, produced by this detestable practice, as we have occasion to witness in modern times. The authority of Aristotle has been quoted, and what does he say on the subject? "The Barbarians are slaves by nature, and made for the service of the Greeks." Finding the practice subsisting among his countrymen, this occurred to him as the easiest and most satisfactory mode of accounting for its origin; and in another place he says; "You must not introduce what is too improbable, even in fiction; therefore you must not represent a slave as a good man; for the character, though not impossible, is contrary to nature and to general experience." Nothing, indeed, can be more true than that all the virtues of man are allied to liberty: in the generous soil of freedom they take deep root, and acquire full vigour and maturity; their

vices foster on the dunghill of slavery, and shoot forth with nauseous luxuriance.

But the right honourable gentleman says, that even if we should abandon the trade, from a principle of justice, we should still gain nothing on the score of humanity. I will not again repeat the argument already so often enforced, that we ought to abstain from crimes without any consideration of consequences. But I will ask, if we abandon the trade at the present moment who are likely to take it up? Will the French, the Dutch, or the Americans readily embark in such an undertaking? If, from a principle of justice, this great country takes the lead in renouncing this abominable and disgraceful traffic; if America bears testimony to the same cause, and France, already pledged by her own declarations, perseveres in the course she has adopted, may not this powerful example be supposed to be the most effectual step to bring about a complete and final abolition? I ask those who question your right to legislate for Jamaica, what right you have to legislate for Africa? what right Englishmen have to tear the unoffending inhabitants from their native soil, and to devote them as the victims of their avarice and cruelty? what sort of law that is which sanctions the commission of injustice? what sort of morality that is which teaches us to commit crimes, because they are countenanced by the example of others?

An honourable friend of mine (General Smith), supposing that a general burst of exclamation which proceeded from those who were adverse to the trade was meant to interrupt him, said "it was very well for gentlemen to decide on the question, without thinking of the claims of those in the West Indies, and then retire to their luxury or repose." I rather suppose that exclamation proceeded from those who were thinking of the claims of persons in the West Indies, though not of the description intended by the honourable general—from those who were thinking of the claims of the poor negroes. Good God! are we placed in those circumstances of comfort and ease which he has described, and can we hesitate a moment to decide whether we shall leave the African in possession of the common blessings of nature; of the enjoyment of his freedom, and the privilege of his industry, or whether we shall barbarously tear him from his home, and doom him to be the drudge of avarice, and the victim of tyranny!

But, if I have already shewn the plan of the right honourable gentleman to be most exceptionable in point of practicability, how does it stand in point of humanity and justice? What must we think of Great Britain, giving up the general

point of her right to carry on the trade, and openly avowing its injustice, should still continue to exercise that trade with respect to the weak and the helpless? Is it of consequence for a nation to be moral? What impression, then, must it give to other states, that Great Britain declares that she feels the inhumanity, that she acknowledges the injustice of the slave trade, that she henceforth renounces all privilege to traffic in those who have arrived at manhood, and attained their full strength, but reserves to herself the power to prey on helpless infancy and unoffending innocence, without considering the feelings of those who are thus bereaved of their children, or the sufferings of the poor victims thus dragged from the bosom of parental fondness, to drink the bitter draught of slavery? Can a government continue respected or respectable, which places humanity and justice in one hand, and policy and gain in the other? And yet, this must be the case if you do not abolish the slave trade, and still more so if you adopt the plan of abolition proposed by the right honourable gentleman. My honourable friend (General Smith) says, that an act of parliament will never pass to abolish this trade. I am persuaded that the opinion of the House of Commons, firmly and decidedly expressed, will have great weight in influencing the ultimate decision; and you ought to lose no time in giving it the utmost possible effect. I am astonished that our proposition should be termed abrupt and hasty; it is now eight years since the business was first brought forward; the abolition, by a vote of this House, was fixed for 1796, and we now come to ask it in 1797! Of all other charges, that of precipitancy is the least applicable to the supporters of this bill. If the other branch of the legislature shall still be found to differ from us in opinion on this subject, let us at least shew by our conduct, that it is not the fault of the House of Commons that the continuance of a traffic was sanctioned, which every man admits to be contrary to humanity, policy, and justice.

At the close of the debate, General Tarleton moved to leave out the word "now," and at the end of the question to add the words "this day four months." The question being put, that the word "now" stand part of the question, the House divided:

	Tellers.			*Tellers.*	
YEAS	Lord Muncaster Mr. M. Montagu	70. —	NOES	General Tarleton Mr. Robt. Dundas	74.

So it passed in the negative. After which General Tarleton's motion, that the report be taken into consideration upon this day four months was agreed to.

Mr. William Smith's Motion respecting the Loan.

February 26.

In the course of an investigation into the circumstances attending the negociation of the loan for this year, it appeared that a very extraordinary and marked preference had been given by the minister to the mercantile house of Messrs. Boyd, though conducted on the professed principle of a free and open competition, and that the equally respectable house of Mellish and Morgan would have taken it on terms considerably more advantageous to the public. The attention of parliament was called to the subject by Mr. William Smith, who moved several resolutions of censure on the subject. On the first resolution being put, viz. "That it appears to this House, that the principle of making loans for the public service by free and open competition, uniformly professed by the chancellor of the exchequer, has been very generally recognized, as affording the fairest prospect of public advantage;" a debate of great length took place. An amendment to the resolution was proposed by Mr. Sylvester Douglas, who moved that it should stand thus: "That it appears to this House, that the principle of making loans for the public service by competition, which was introduced, and has in general been acted upon, by the present chancellor of the exchequer, has been productive in many instances of great public advantage; but that this principle could not be applied in its full extent, to the bargain for the late loan, consistently with the peculiar circumstances of the case, and with that attention to the equitable claims of individuals, which ought always to be shewn in transactions with them on the behalf of the public." After the terms of the loan had been defended by Mr. Steele, and Mr. Pitt,

Mr. Fox said, that exclusive of the importance of the subject now before the House, he must, from the evidence before him, vote for the original proposition of his honourable friend, and against the amendment which had been proposed, for that amendment alledged for a fact that which was not true; and among the reasons which he had for the vote which he should give, was that of some expressions of the learned gentleman who proposed the amendment, and also of the minister himself, who had held pretty lofty language upon this occasion. He had said, that they had inferred guilt where there was no evidence of it, and had made insinuations which they half retracted. He thought he knew his duty too well ever to make any insinuation of guilt, where there was no suspicion. It was wholly against his nature to

make that sort of attack on any man, to pretend to say there might be guilt, when he thought there was none; nor should he ever be backward in stating it where he had suspicions. But with regard to the guilt, as it appeared to him in this case, he would state it to the House, as well as what he conceived to be the nature of the accusation. The minister had stated, that the accusation originally made against him upon this subject was, that he held a negociation in concluding the bargain for the loan, that was to be used for the purposes of of corruption, and that it might be made use of to influence the members of that House to vote for him. This was incorrect. No such accusation was ever made against that right honourable gentleman. The original mover of the resolutions now before the House had never imputed that to the minister. He too, had always acquitted the right honourable gentleman of personal corruption; and for this the right honourable gentleman said, he did not thank him. I care not, said Mr. Fox; I claim not his thanks, nor shall I ever complain that I do not receive them. But I accused him then, and I accuse him now, of having made an improvident bargain for the public. Even improvidence, in a minister of finance, Mr. Fox contended to be no small crime; and he could not help saying he was surprised to hear that sort of improvidence stated as a mere peccadillo. What! improvidence in a chancellor of the exchequer, to the vast extent of this loan, a mere peccadillo! It was not so to be called; it was a very serious charge against a minister of this country to say that he had in a transaction of this vast importance made an improvident bargain. The bargain was not improvident merely; it was made under such suspicious circumstances, as the House ought not to be too ready to excuse. But he must protest against the doctrine that no bad motive should be assigned to the minister, if it could not be proved what that motive was. This was against the common order of things, which he conceived in the present instance entitled him to say, that the motive, be it what it might, could not be a good one where the effect was so bad, and the circumstances so suspicious.

The right honourable gentleman had insisted that he was totally exculpated from all attempts to influence, by this loan, the votes of the members of that House. He dared to say that this was true, for he did not see in the present state of the politics of this country, that the right honourable gentleman had any occasion to increase his majority in that House, and therefore, if this loan was made a subject of influence, it must be influence of another kind. The right honourable gentleman, as well as the learned gentleman who opened the debate, had insisted much that the merchants in the city, who were

subscribers to this loan, were not concerned in any way of direct influence; but that was not the charge which he made against the minister. If there was any species of improvidence which it was proper in the House to check rather than another, it was that species which went, not to affix political weakness and political disgrace on the character of the minister, but which tended to procure for him, from great and powerful men, great and powerful support. In the present case, the loan was diffused among a class of men, from whom the minister, even supposing him innocent of any corrupt intention, might derive much more solid advantage than from a few votes in the House of Commons.

The first point in the business to which he would call the attention of the House, was the mode of transacting the loan. The right honourable gentleman had all along been an advocate for free and open competition. He begged leave to dismiss all cavil upon the expression "free and open competition;" he meant it in the fair and candid sense. But how stood the matter in point of fact with regard to the conduct of the chancellor of the exchequer? In 1793, he brought before the House a bargain so extravagant and wasteful to the public, that he attempted to defend it only by stating, that it had been the result of a free and open competition. This proved how much merit the minister thought there was in free and open competition, since he rested his defence in a case so desperate wholly on that circumstance. Why then, he could not help suspecting the fairness of that loan, in which the minister abandoned this mode, and that, too, in a loan as extensive and extravagant as any we had ever heard of. This loan, therefore, was as extravagant in point of terms and more objectionable in point of manner, than the loan of 1793; and here he must make an observation, that the right honourable gentleman's exceptions were greater than his rules. For it was not true, that he had in substance followed the principle of public competition in loans; particularly if we looked to quantity instead of number of loans. The last two loans were not made by competition, and in point of quantity they nearly equalled all the others put together; amounting to pretty nearly fifty millions. The minister, therefore, had abandoned the practice, which he extolled in theory, of public competition; fifty millions had been added to the capital of our debt, and that without a competition in the bidding for the loans. He wanted to know whether, according to the principles of common sense, he was not called upon to say that this loan was an improvident bargain, on the part of the public? And he would ask the House, whether such a man should pass uncensured, merely because it could not be proved what his motives were?

Here Mr. Fox proceeded to take notice of the evidence as printed in the report, and to comment on the various circumstances of that evidence, by which he inferred that a preference was really intended by the minister to be given to Mr. Boyd. At all events, it was extremely material to the honour of his character, fairly to tell when he had the first notice of Mr. Boyd's claims. He had pressed him often for an answer to this question, and never had obtained any specific reply. On this point he thought Mr. Boyd's evidence inconsistent with the right honourable gentleman's declaration. Mr. Boyd said positively, on his examination, that as early as October he preferred his claim to the chancellor of the exchequer, and that the chancellor of the exchequer, being convinced of its justice, came under promise to give him the preference. He was willing to make every allowance for omissions amid the multiplicity of business with which the attention of the right honourable gentleman must necessarily be distracted, but to forget such an important subject as this, admitted neither of palliation nor excuse. Was it nothing, after having come under a positive promise to prefer an individual, to give notice to the governor of the bank of his intention to hold out proposals of public competition, in which he knew at the time it would not be in his power to persevere, and which, in fact, he had been obliged to abandon? And here he would say something upon the claim of Mr. Boyd. If the claim was invalid, it would only vary the degree of guilt; and if it was valid, it was a singular circumstance that it should have been entirely forgotten. It certainly was not a claim founded upon a direct written or verbal agreement: but even though the claim was good, it was not sufficient to stand between him and the public; and though gentlemen were extremely fond of appealing to the governor of the bank, the evidence that he gave before the committee went directly to invalidate his claim. The opinion of Mr. Giles was fortified by fact and justice. For supposing, which he really believed was the case, that it would have been better for the nation to have given the contractors a pecuniary compensation, if the chancellor of the exchequer, or if the country, were bound to the contractors, they were bound to the contributors; and if such a compensation had been granted, it would have been but fair that its advantages should have been extended to the contributors, as well as to the contractors. Supposing, for instance, that 3 or 400,000*l.* had been voted to Mr. Boyd and his friends for the loss they sustained, the House would certainly have provided that the compensation should extend to all the subscribers as well as to the contractors; for how the country could be bound to the contractor and not to the contributor,

he was at a loss to conceive. It was said that these come under some degree of risk. But how long did it exist? Only till the deposit was made. What was the nature of the risk? A risk might be so much that it might be nothing at all. The contractor might sometimes be obliged to hold scrip for a considerable time; but so was the contributor, and the risk on his part was only less, as the contractor had commonly a greater share than the contributor. In justice, then, and the nature of things, there was certainly nothing to authorize the claim. There had been many a loan bargained for in this country; but there had not been a sufficient number of instances to constitute a custom on this head.

Much stress had been laid on the conversation which took place between the chancellor of the exchequer and Mr. Boyd, in 1794. It seemed, the chancellor of the exchequer, in order to hasten the payment of the loan, had said, that the following February would be too late for the last instalment, because it might be necessary to negociate a new loan before that time. This expression of the chancellor of the exchequer was represented as a virtual recognizance of the claim of Mr. Boyd. But it was not necessary to ascribe this conversation to a tenderness for Mr. Boyd's right, when it was much more natural to suppose it proceeded from a concern for the public interest. This casual expression, however, had such an effect upon the mind of the right honourable gentleman, that he could not efface the idea of Mr. Boyd's peremptory right to shut the market against new loans, till the last instalment upon the preceding loan should have been paid. To all this the right honourable gentleman asked, "Have I shewn any symptoms of partiality to Mr. Boyd? On the contrary, was it not with the greatest reluctance that I deserted my favourite system, in order to satisfy his claim?" We have seen reluctance (said Mr. Fox) often used as a veil under which we conceal the commission of acts which we ought not to have committed. With what "sweet, reluctant, amorous delay," the right honourable gentleman took leave of his professions, I know not. Still, however, he maintained that he kept up some degree of competition. But if he was aware that it was such a competition as to excite contempt, Mr. Fox said he could give it no other character than that of a miserable expedient to cover his determination; and if he had a better opinion of it, why did he abandon it on the opinion of two angry men? But here occurred a question of moment, respecting the time at which the loan was made. On account of some pressing business in the House of Commons, he could not bring on the budget, but yet he could not put off the loan, but concluded the bargain twelve days before he notified it to parlia-

ment; whereas, on former occasions, it used only to be concluded one, two, or three days before the opening of the budget.

From the circumstances of the loan Mr. Fox proceeded to speak of the motives which actuated the negociation. And if it was not allowed to operate as an instrument of corruption, it certainly had some reference to a transaction which took place in September, in which Mr. Boyd raised 2,500,000*l.* for government, upon treasury bills, bearing a fictitious date at Hamburgh though drawn here. This transaction Mr. Fox reprobated, on the authority of the governor of the bank of England, as extremely discreditable to government, and as disgraceful to those who set it on foot. When he saw the right honourable gentleman abandon his principles; when he saw him abandon them at the suit of an individual; and when he saw him abandon them in favour of this individual, after being engaged in a discreditable transaction with him, the observation could not but excite some suspicions, and it would require stronger reasons than any that he had adduced to establish his innocence. But, said the right honourable gentleman, this was only a necessary supply, which Mr. Boyd advanced in the most liberal manner for the service of the country, in a time of difficulty, when her resources were exhausted, and when it would have been exceedingly inconvenient to have convened parliament. This representation served only to enhance the favour conferred by Mr. Boyd, and to establish the relation between that transaction and the negociation of the present loan; for to relieve the minister from such difficulties as those, and in which he had involved himself by improvidence or extravagance, was an obligation which would naturally in these circumstances be too highly valued to be easily forgotten. He might have negociated a short loan in September, which would have operated as a present supply till after the holidays; but this could not have been explained to France, nor would it have given that power half the idea of our financial superiority which she must necessarily have formed from such a highly-creditable transaction, as raising money by means of fictitious Hamburgh bills!

Mr. Fox adverted to the report, and to that part of it especially which stated the conduct and the evidence of Mr. Morgan, both of which he said, appeared to him to have been natural enough. That gentleman had expressed himself in his evidence consistently. Much had been said, that Mr. Morgan appeared to be angry with the minister on this occasion. Was that unnatural in a man, who felt that he had been insulted with a mockery of competition? He had lost that which was

the object of his heart, the loan, and therefore there was nothing wonderful in his anger. Every candid man would agree that some allowance ought to be made for a man irritated by disappointment. Mr. Morgan had said he would have made a bargain for the loan, which would have been better for the public than this. Here was at once, then, the best of all possible evidences, the *evidentia rei*, that the bargain was an improvident one. Why, it was asked, did Mr. Morgan not bid above Mr. Boyd by his proxy in the House of Commons when the subject was debated, up to the whole amount, which he stated the public to have lost? The answer to this question was plain, and Mr. Morgan had already given it. He did not bid for the public good, but for his own good, and therefore, when he was bidding to the House of Commons when they were called upon to ratify a bad bargain, a sum considerable enough to make that bargain much better for the public, the less he advanced the better for himself. Such was the admission of Mr. Morgan; and he had not the smallest scruple to declare, that he felt as much willingness to believe a man who thus admitted that he wished to take care of his own interest, as he who pretended, in money matters, to have nothing in view but the public good. Here, then, we had a man preferred by the minister, with whom transactions of a very suspicious nature had been carried on, and this preference had cost the public an immense sum of money. What was he to say on such a case? What could he say, but that the minister proceeded upon some motive or other that, from the circumstances and the manner of it, had rather the appearance of a bad than a good one; it had certainly operated to the very great detriment of the public at large, and to the ill character of the pecuniary concerns of this country.

Mr. Fox next proceeded to take notice of the different causes, which the minister had assigned for the rise in the price of the funds soon after the loan was contracted for, and declared that he was clearly of opinion, that the king's message, which came to that House on the day after the budget, was the chief cause of that rise. The right honourable gentlemen contended, that the news of the Austrian victories, had a considerable share in promoting the rise. These victories, let it be recollected, were pretty generally known before the 25th of November. The rapid decay of the French finances was assigned as another cause of this political phænomenon. He begged however to know, whether, after the 25th of November, the French finances had decayed so rapidly, that even the most sanguine calculator found his calculations far short of the truth. He was the more surprised at hearing this language when he recollected that about eight

months ago they were described as being in the agonies of death, in the very gulph of bankruptcy. All arguments respecting the decay of the French finances, he considered as so many childish and contemptible pretences to veil (and a thin veil it was,) the suspicious conduct of the chancellor of the exchequer. When the right honourable gentleman was obliged to have recourse to such pretexts, in his opinion, no accuser could say more against him. He was asked, how he came to calculate upon the average rise of stock, and of course the average premium on the loan from the temporary effect of any particular news? He replied, that he calculated upon the price of stock, when subscribers made their first deposit, at which period the omnium afforded a clear profit of twelve and a half per cent. He admitted, for argument's sake, that the message might be the natural effect of the minister's comment on the king's speech at the opening of the session; but who did not know that a formal message from the throne carried much greater weight with it than an occasional speech of a minister in parliament? The fall of stock was not to be wondered at, because the public had never seen the message acted upon, and therefore it was but natural that the funds should sink to their former level. The conduct of the commissioners appointed to manage the funds for the liquidation of the national debt, in buying into the four, instead of three per cents., Mr. Fox stated to be another matter deserving the attention of the House; and a due consideration of it would, he said, easily satisfy them, that it was to be regarded as a part of the circumstances, that bore relation to the late improvident bargain with Mr. Boyd. He concluded with maintaining, that the terms of the loan were much more extravagant, not than the country had paid at former times, but in comparison with the terms which might, when the loan was made, have been obtained by free and open competition. He sat down, with giving it as his opinion, that the chancellor of the exchequer had been guilty of a breach of duty, and on that ground he must give his assent to the original resolution.

Mr. Smith's first resolution was rejected, on a division, by 171 against 23; after which Mr. Douglas's amendment was agreed to.

Mr. Curwen's Bill for the Repeal of the Game Laws.

March 4.

THIS day Mr. Curwen moved, "That leave be given to bring in a bill to repeal the acts of the 22d and 23d of Charles II. the 1st of James I. the 4th and 5th of William and Mary, the 5th and 9th of Anne, and the 28th of George II. or such parts thereof, to be particularly specified, as relate to the Preservation of Game; and for substituting other provisions in lieu thereof." Mr. Buxton was of opinion that game should be made private property. Mr. Windham wished for a modification of the game laws, but upon general principles he felt a very great repugnance to accede to any sudden change in any ancient system.

Mr. Fox said, he hoped that no effectual opposition would be made to the motion of his honourable friend that night, which was only for leave to bring in a bill, hereafter to be discussed. He should not offend the right honourable gentleman who spoke last, by saying any thing upon the doctrine of natural rights. But although, on the principle of property, it might not be absolutely unjust to make a distinction between the qualification to kill game and any other qualification, yet, on the principle of congruity and of policy, the game laws were indefensible, for by them it appeared, that a great number of the most opulent part of the people of this country were not permitted to enjoy the luxury of sporting with game. This was obviously incongruous; it would be so in any state, and therefore improper, but much more so in that state under which we had the happiness to live. So much for the consistency of these laws. Was it not true that these laws were ineffectual? That they were almost universally broken? That there was no place whatever where game was not, or might not be purchased, contrary to these laws? What was the use of laws to prohibit the sale of game? As long as rich men wanted game, poor men would procure game. Was not that the result of the game laws? Did not that call for a repeal of the game laws? He would not say that he would never agree to a proposition that made that criminal by law which was not morally considered criminal; yet it was certainly clear, that that law was best kept which declared that to be criminal, which the general feeling and sentiment of mankind regarded as morally criminal. That law would thrive. It would be generally obeyed. It always had been, it always would be, otherwise with a law which prohibited that which

was not considered to involve any moral guilt, and therefore it was to be altered and avoided, and always would be altered and avoided, as much as possible, by every wise legislature.

The question here was, whether the good (if there was any) which was gained by these game laws, was so much as to overbalance the evil they were the cause of? It was said, that gentlemen should have great inducements to live in the country. Certainly they should; it was proper and beneficial; men of high situation in life and of large fortunes, were, undoubtedly, fit objects of the attention of the legislature in every point of view. He was willing to grant that care should be taken to protect them in the enjoyment even of their amusements. Be it so. It was, however, his opinion, that the repeal of the game laws would not tend to the diminution of that object; and that ought to go a great way towards the repeal of those laws. He could not say, like an honourable gentleman, that he was quite impartial on the subject, because certainly he indulged in the amusements of sporting as much as his leisure would allow. So did the honourable gentleman who made the present motion. That could not render either of them, from the part they took in this case, the more liable to distrust by those who wanted to protect the game. With respect to the game laws, his opinion was, that there might easily be found a much better system than they were for the protection of the game, supposing the House to have nothing else in view upon the subject. He thought that the better way would be for the House to adopt the idea of an honourable gentleman, (Mr. Buxton,) and make game private property. If he was bound to take his choice out of three cases, either that the laws should remain as they are, be totally repealed, and nothing else, or that game be made private property, he should certainly say, "make game private property."

If, however, he was compelled to chuse between two questions, whether these laws should remain as they were, or be totally repealed, and nothing else, he should have no difficulty in saying, that they should be all repealed without any thing being substituted in their stead. The greater part of these laws were so arbitrary, the principle which ran through them all was so impregnated with tyranny, that they were entirely unfit to exist as laws in a free state. Such was their principle. The practice arising out of them was equally liable to objection; for the penalties sued for must be solicited by parties who were generally too much affected by animosity to the party against which they sued. Nor was it always quite a clear case that the magistrate who pronounced the conviction was strictly impartial. The whole of the system was, in

fact, a mass of insufferable tyranny, which no gentleman had ever ventured to defend in a direct way. If gentlemen thought proper to assert that the game laws tended to protect the game, he would answer them directly, that they did no such thing. He would ask any person conversant with the subject, whether, in point of fact, where game was preserved, it was not from the law of property, and not from the game laws? He was sure it was owing to the law of property, solely, that game was preserved. Where had game been well preserved, except where the holder of the land was the proprietor of it, and had the right by law to kill game? Had it been so where the holder of the land was not the proprietor, and had not the right to kill game?

He would say again, that the preservation of the game was entirely owing to the proprietors of land, and not to the game laws, and therefore it was the principle of property which protected the game. He spoke confidently upon this subject, and he was glad he spoke in the hearing of many who knew the matter better than he did. But what was the proposition of his honourable friend? Only that a penalty of 5l. be imposed on a person who should, after notice, trespass on the land of another, and kill game there. He thought that game should be made private property. That was his opinion. He knew that the prejudices of men were a long time in wearing out, and that was a point that was much to be considered, and great care to be taken of it; for would it be an easy thing to make the public regard game in a field, in the same light as any other property? To conquer that prejudice would require time, and the House might consider of that hereafter. The question, however, here was, whether the House would not agree to bring in a bill, to repeal laws which no man in the House defended in principle? Why not agree, then, to the introduction of the bill, and when it went into a committee, propose some substitutions for the laws? But although this was his opinion, yet the question, he was willing to confess, was not so pressing or so urgent that the House should not take time to consider it. That the game laws were really mischievous and created crimes; that they increased the number of offenders against themselves, and thereby increased the number of persons who were ready to commit other crimes, could not possibly admit of any doubt. He should hope, therefore, that the bill would be permitted to be brought in and would pass. He was perfectly sure, that the game laws were not good for the preservation of game. It seemed to be agreed that they were bad for that purpose: they could, therefore, be kept only (if they were to be kept) for the sake of the invidious distinction which they established.

Mr. Jenkinson said, that although he considered the game laws in an objectionable point of view, yet he was so averse to any alteration taking place in a system so long established, especially at a time like the present, when every deviation from legal custom ought scrupulously to be guarded against, that he must oppose the motion. He therefore moved, That the House do now adjourn. Upon this the House divided:

	Tellers.			*Tellers.*	
YEAS	Mr. Jenkinson Mr. Wallace	27.	NOES	Mr. Curwen Mr. Buxton	50.

So it passed in the negative. After this, Mr. Curwen consented to withdraw his motion, and the House agreed to go into a committee of the whole House, on that day sennight, to take the said acts into consideration.

April 29.

On the 11th of April Mr. Curwen obtained leave to bring in a bill for repealing certain statutes relating to the game, and for the better preservation thereof, and also for extending the privilege of killing game, to the owners and occupiers of land. On the motion for the second reading of the bill, on the 29th, Captain Berkeley moved, That it be read a second time upon that day three months. The bill was also opposed by Sir Richard Sutton, who stated, that in Germany game could be bought and sold at the public market by those who were qualified, and recommended the same regulation in this country.

Mr. Fox said, that he was a very warm friend to the principle of this measure, though some of the clauses of the bill might be thought exceptionable. He wished to abstain from general arguments, he hoped however the House would consider what the honourable baronet had advanced with regard to the German laws, as totally inapplicable to the question. What, he asked, was there in the British code to resemble in the least the laws of Germany? He was surprised to hear any thing like the introduction of them into this kingdom. The arguments, however, of the honourable baronet as far as they were right, most assuredly went to the fundamental repeal of the game laws. He said, that in Germany, and he recommended the same regulation to be adopted here, game could be bought and sold at the public market by those who were qualified. How then did the matter stand? The lord of the manor might employ a game-keeper to kill his game; but the lord of the manor must sell it. He was firmly persuaded, that to give the land-holder his just right over the game on the grounds which he occupied, would be the best means of preserving the game. The land-holder had an in-

disputable right to the game on his ground, and much more so, assuredly, than the man who obtains a fictitious right to kill game, by taking out his qualification. With regard to poaching, he confessed he was no friend to it, but he would not go so far as the worthy baronet, and say, that he would have no mercy for poachers. But, if the worthy baronet entertained such an idea of the criminality of a poacher, a person whose situation might be some alleviation of his guilt, what did he say to those by whom he was employed? Were they not, in a moral point of view, equally, if not more culpable in inciting him to the violation of the laws of his country? He never could look upon the breach of the laws with more horror, as far as related to the poor, than he did with respect to the rich; who, in many instances, conceived that they were free from guilt, as long as they escaped with impunity. When gentlemen called for vengeance against these unfortunate men, he could not look upon those with complacency who trafficked for boroughs, and purchased seats in the House of Commons. He could not persecute the poor poacher with indignant rage, without manifesting his detestation at the conduct of many of his superiors. To prevent the evil, the remedy, he maintained, was in the principle of the bill; for he insisted that, conformably to the doctrine of the most eminent writers on the criminal jurisprudence of this country, the game laws were not only ineffectual, but disgraceful to the nation. It was shocking that a penal law should exist, which was daily broken, and without the possibility of being enforced. And what was the consequence? The consequence was obvious; it increased the number of persons acting against law, who were, from their bad habits, the more liable to fall into other offences. Take away, therefore, the corner stone of these crimes, the temptation to the private sale of game; for in proportion as the laws were infringed with impunity, so did crimes invariably increase. This law, so often broken, added considerably to the melancholy catalogue of criminals. If he were asked, would he repeal the game laws without any substitution? he would answer, certainly, rather than they should exist, without any amendment. But the substitute was provided by the bill, by making game private property. A reciprocal desire to oblige prevailed throughout this country between the tenant and landlord; and if the present bill, properly amended, was passed, gentlemen would not find themselves more restrained than they were at present in their amusement. He again pressed the House, if the preservation of game was its object, to give the land-holder an interest in its protection, and he called on the right honourable gentleman,

(Mr. Windham) to say whether in the great sporting county where he occasionally resided, it was usual for farmers to warn gentlemen off their grounds? The reverse, he believed, was the fact. Thus was the game, he insisted, diminished in consequence of the acts passed by our ancestors for its protection, as the farmers were indifferent as to the persons by whom it was destroyed. The vote he should give that night, certainly would be for the second reading of the bill, which might be amended in the committee, and lie over to another session, until it was maturely considered by the members of the House.

The House divided on the motion, "That the bill be now read a second time:

	Tellers.			*Tellers.*	
YEAS	Mr. Curwen Mr. Crewe	17.	NOES	Captain Berkeley Mr. Sumner	48.

The motion that the bill be read that day three months was then put and carried.

DUTIES ON LEGACIES OF PERSONAL ESTATES.

March 22.

ON the order of the day for taking into consideration the report of the committee on the bill for repealing certain duties on legacies and shares of personal estates, and granting other duties thereon, Mr. Pitt moved, That the said report be now taken into consideration; as an amendment to which, Mr. Alderman Newnham moved, that it be taken into consideration on this day four months.

Mr. Fox said, he should concur in the motion for postponing this bill. As to the time, perhaps he might differ from the worthy magistrate who made the motion. With respect to the bill itself, he had considered it from the very beginning to be a measure altogether impracticable in the present state of the country. He did not think that any clause could be introduced into the bill which would do away the objections to it; for the whole principle of the bill was radically unjust. He was exceedingly sorry, however, that he had been prevented by indisposition from attending when the bill was in the committee, and examining the different clauses as they were proposed, for he now professed himself

incapable of understanding them. Objections, however, to the whole bill were too obvious to pass unnoticed. Every species of commercial property must by this bill be laid hold of and exposed by government. He was told formerly, that this inconvenience might be avoided. His answer was, "that is morally impossible;" for the very idea of making a man pay a profit to government for his property *ad valorem*, must necessarily imply that the value of that property shall be ascertained. This must also necessarily make public the value of all the bequests in the kingdom. It was not necessary for him to dilate upon this subject. This ascertainment of the value of every thing hereafter to be bequeathed, must necessarily depend upon a balance between debts and credits. Now, there might, and there must be, cases in which this system would be attended with great injustice. It was said, that as we cannot ascertain the value of a person's property, it shall be taken according to the profits afterwards received. The House should consider the tendency of this system. There must be thus annually laid before parliament the whole state of our commercial prosperity and adversity. A man might lose upon one branch and gain upon another; he might have a partner in the one case, and he might be concerned alone in the other, and he might bequeath a legacy to the partner who had sustained this loss; then there must be a deduction of six per cent. out of such bequest. This, perhaps, was an injustice which was not intended, but it was an evil that was inseparable from the very nature of the bill, and therefore could not be avoided. Now, he would ask, how it was possible for a man to give an account *ad valorem* of the profits of a trade complicated with a thousand circumstances? And how this account was to be made to government without the whole of the circumstances of that trade being made known to the public? In short, made known to every man in the world who should choose to inquire into them? With regard to the practicability of estimating the value of property under this bill, suppose, for instance, a certain capital left between six persons, the interest of which only was to be enjoyed by one at a time: suppose it should go to the uncle in the first instance, the brother in the second, the nephew in the third, until the whole capital be made absolutely in the sixth person in succession. How could the claim be made on the part of government? If it be laid upon the capital in the first instance, it must reduce the value of the interest of the legacy to the first annuitant, while a calculation must be made of the lives of the other parties, which could never be precisely determined, on account of various accidents. In case of any contingency happening to

the second or third annuitant after the death of the first, if restitution be made to the third or fourth, what restitution could be made to the first annuitant? Or how was any restitution provided for?

There were many other objections to the provisions of the bill. It was well observed by the worthy magistrate, that a great hardship would be cast on children who had the misfortune to be of illegitimate birth. How was this to be managed? Was there to be a power to institute an inquiry into the legitimacy of the children? Was there to be an inquiry into the legality of the marriage of the father, or the grandfather. Had government that power? If they had, what a scene of confusion and intolerable vexation would follow from the exercise of that power! If this bill was consented to, there would be other taxes of the same kind brought forward, and no good argument could then be found for opposing them. Admitting the principle of this to be just, he could not see any good reason why it should not be extended; for what was this but a mere shift to levy a duty on all species of bequeathed property? If this should succeed, he would dare to say the mode would be deemed an eligible one. He then took notice of property in the funds. There was, indeed, a solitary act of parliament which recognized the practice of recurring to it as an object of taxation. But he did not think that just; for when we funded a debt we contracted with the holder of it, that he should enjoy it without diminution by a tax while he lived, and that he should bequeath it to his posterity. He thought, therefore, there was a considerable objection to that measure; but there was a great deal more to this. He thought, also, that there was a great deal of force in the objection of the worthy magistrate about not bringing forward the other bill with regard to the tax on landed property. He saw no good reason why they should be separated, but many why they should be kept together, and chiefly that the House might see the real extent of the plan upon this subject; and by applying it to landed property, the impracticability of doing any thing like justice in the execution of it would be more striking.

He lamented, indeed, that the House was so indifferently attended; but that was a thing which he had reason to lament upon subjects of greater moment, even than the present. He did not see any necessity of postponing this bill for four months; four weeks would be sufficient for the House to make up its mind on the subject. But both the bills should be debated together, and the House ought not to pass this without knowing whether they could ever pass the other. He had many objections to the particular provisions of the bill, but

they were all as nothing when compared to his objections to the general principle. The idea of an *ad valorem* estimate of taxation on a man's property was repugnant to sense and justice in any country, but particularly in such a state as ours, where it was impossible to calculate the inconveniences to which it would give birth. It might, for aught any man could say to the contrary, endanger even the very existence of our commerce. Indeed, he wondered that the House, which had in it so many men well acquainted with the nature of commerce, felt so easy under a measure so alarming as this. Feeling so many objections as he did to this tax, and wishing the people to understand its nature better than he believed they did at present, he should at all events vote for some delay in this business. He, indeed, was confident that a sense of his duty to the public would command him to vote for the rejection of the bill altogether. He should now, however, only desire that this bill should be delayed until the other bill for taxing landed property should be laid before the House.

Mr. Alderman Newnham's motion was rejected, on a division, by 46 against 16.

April 5.

On the motion, that the bill do pass,

Mr. Fox said, that he did not mean to trouble the House with any observations, either upon the principle of the bill or any of its clauses, though he was clearly of opinion, that if the principle was followed up to its full extent, it would put an end to that commercial prosperity, which, impaired as it at present was, still enabled us to support those burdens to which we were subjected. It had been said, that this bill was of a similar nature with another intended to be brought into parliament, proposing a corresponding tax upon land. What he meant now to propose, was to postpone the third reading of this bill, till the propriety and practicability of the other should have been discussed. The principle of both was allowed to be the same; but the provisions of each, from their nature, must be different. Allowing the principle to be just, if the provisions of the other bill were found, upon discussion, to be impracticable, he asked, in what situation the House would be placed? They would have sanctioned a tax upon personal property, which, it was allowed, ought equally to attach upon real property; but, perhaps, the tax upon real property might be

found to be impracticable, and then the present tax would incur the charge, at least, of being partial. Upon this ground he moved, "That the debate be adjourned till this day fortnight."

The House divided on Mr. Fox's motion:

	Tellers.			Tellers.	
YEAS	Mr. Grey Mr. Ald. Newnham	16.	NOES	Solicitor Gen. Mr. Hobart	64.

So it passed in the negative.

GENERAL SMITH'S MOTION RESPECTING THE EXPENDITURE OF PUBLIC MONEY IN BARRACKS.

April 8.

THIS day General Smith moved, "That it be referred to a committee, to examine into the expenditure of public money in the construction and furnishing of barracks since the year 1790; as also to investigate by what authority such an expence, amounting to upwards of one million sterling, has been incurred." The general affirmed, that 1,400,000*l.* had been employed upon them. The patronage accruing from them to ministry was the appointment of no less than fifty-six officers for their management, with considerable salaries. The number of barracks already constructed were sufficient for the reception of 34,000 men, which were more than a peace-establishment by 14,000. Did not such a measure, he asked, tend to impress the strongest conviction upon the public, that ministry were determined, in the words of one of their principal members, to exert "a vigour beyond the law?"—Mr. Windham, the secretary at war, admitted the expences of the barracks to be great, but the importance of the object in view required them: their intent was to exonerate publicans, and people of that description, from the heavy charges to which they had so long and so unreasonably been liable, and of which they had so often and so justly complained. The necessity of procuring public-houses for the reception of soldiers on their march occasioned sundry inconveniences, which these barracks were calculated to remove: they would afford shelter, and a temporary stay, when necessary, without producing trouble and expence to innkeepers and others, who kept places of accommodation on the roads. In the event of a peace, they need not contain any larger numbers than would be requisite for the usual establishment; but while the war lasted, the indispensible necessity of holding men in readiness, in such critical times as the present, and the lesser expence at which they were kept together, with much more comfort and convenience to them-

selves, and utility to the public, than by the former method of quartering them, were, he presumed, sufficient arguments in favour of barracks; nor would he omit the propriety of removing soldiers from the danger of being contaminated by the seditious disposition of the lower classes. — In reply to Mr. Windham,

Mr. Fox rose and said: — I am happy, Sir, that the right honourable gentleman opposite to me, as being particularly connected with the department to which belongs the cognizance of that which is the object of this evening's discussion, has thought proper to come forward in so full and explicit a manner. I am, at the same time, proud to confess, that I differ with him upon almost all the points which he has advanced, and have no hesitation to declare in what that difference consists, though I do not intend to go at length into the consideration of all of them. He has, however, alluded to one general principle that particularly claims my attention; and in doing so, has noticed an expression of mine on a former occasion, made use of when I advanced a general principle, which I always have entertained, and ever shall entertain, a principle which he himself formerly espoused, and which I believe to be espoused by almost all those with whom I have the honour of acting. I mean the general principle of resistance; the right inherent in freeman to resist arbitrary power, whatever shape it may assume, whether it be exerted by an individual, by a senate, or by a king and parliament united. This I proclaim as my opinion. In the support of this principle I will live and die. The discussion of this principle is not necessarily involved in the present question; I shall therefore content myself, for the present, with thus again fairly stating it.

The right honourable gentleman has also brought forward another general question, more closely connected with the subject of debate, but at the same time not altogether necessary in its decision: I speak of the connection which ought to subsist between the military and the rest of their countrymen. Upon this point I am, indeed, proud to differ with the right honourable gentleman. "Because," says he, "there are bad men and bad principles abroad in the country, the military must be secluded from the society of their fellow-subjects." He then most aptly introduces the language of the Mock Doctor, and says, "If I cannot make others dumb, I can make them deaf." I will place them entirely out of reach, where no such doctrine shall assail their ears. What, Sir, is the full meaning and extent of this doctrine? Can the right honourable gentleman make his troops partially deaf? Can he prevent them from listening to the voice of sedition, without, at the same time, shutting them up from the knowledge of those general

principles of rational liberty, whose animating influence, ought, I say, to inspire the soldiers of a free country? They ought not, says he, to be taught disobedience. God forbid that they should! but is it not a plain proposition, that indiscriminate obedience is not the duty of an Englishman, whether he be a soldier or any other citizen? Where commands are illegal, it is his duty to resist them. The right honourable gentleman, surely, does not intend to say, that his troops should be altogether deaf. If he does, it will be in vain for him to look for an army in this country, possessed of this physical advantage. He must call in foreign mercenaries. Ignorant of any language but their own, they would be sufficiently deaf for all the purposes of despotism. It would be enough that they should understand their officers, and might easily be brought, as in former times has been attempted, to act against this House and the general liberties of the country.

Exclusively of what I have already urged, I differ in this question, upon the point of prudence and policy. If one system be more corrupt and inimical to freedom than another, it is the system of barracks. What was actually the case in France? Was not the mode in which their army was cantoned out in barracks a principal operative cause in producing the Revolution? It is beyond all belief astonishing, that while we declaim so violently upon the state to which France has been reduced, we are at the same time pursuing those very same measures which are likely to bring us every day nearer to a similar situation. The right honourable gentleman speaks of those who preach up doctrines hostile to the constitution: but permit me to say, that it is not Mr. Paine, nor much more ingenious men than he, who by any thing they say can injure the constitution. Those are its real enemies who are constantly making practical comments upon such authors. Those who, with me, admire our constitution, are of opinion, that, if strictly adhered to, it has sufficient energy to defend and preserve itself. Paine says that our constitution is a mere farce, a mockery; that there is no real check upon the exercise of the powers of government. Do not ministers practically say the same? Do they not, day after day, year after year, pass acts in direct violation of the acknowledged principles of the constitution? Their manifest breach of the appropriation act, as lately proved, must be fresh in our recollection. These deviations they pretend to justify on the plea of necessity. If this plea is at any time to be received with jealousy, it must be in the present instance; and it is indeed curious to observe the language by which this measure is attempted to be defended. In the mode of granting the

money, says the right honourable gentleman, there may possibly have occurred some deviation from strict form, but nothing has been done substantially prejudicial. What! is it from him that such language was to be expected? From him who has a sanctified horror at every thing which bears the semblance of reform? From him who on the subject of a reform in the representation, trembled at the bare idea of taking one step towards innovation? Is he the person who comes forward and tells us that forms may be dispensed with?

But let us see what is actually the form, as it is called, which we are desired thus to dispense with. Are we not rather desired to dispense with a fundamental principle of the constitution? Are we not desired to dispense with the exercise of that control which we ought to have over the public purse, and called upon to sanction those expences which never obtained our consent? The constitution says, that money cannot be raised without the consent of parliament. Has that not been done in the present instance? I ask, is it, or is it not, a principle to be advanced and supported in this House, that where considerable expence is to be incurred, leave for that purpose is to be obtained from parliament, and not from the executive government? When the question of barracks was under the contemplation of government, should it not have been solemnly brought before parliament, have undergone that grave consideration which the importance of the subject demanded, and not merely be laid before them for their approbation, after all the expence has been incurred? In the common affairs of life, if a servant comes to his master wanting 1000*l.* for any particular purpose, the master would naturally deliberate on the propriety and necessity of the proposed measure; but, were his steward to inform him he had actually expended a few thousand pounds in such and such a way, the master, I presume, would be apt to startle at this being done without his previous consent; and were the steward to justify his conduct, by saying he considered that as a mere matter of form, the master would no doubt give his servant to understand, that such forms were not to be dispensed with. The steward might then be induced to justify himself on the score of necessity. Cases might certainly occur where such a plea might be admissible, but they must be cases neither of any great magnitude, nor where the same purpose could be equally well effected in a different and more satisfactory manner.

We are told that the magnitude of the expence is nothing, for that all state expences must be great; but I have always understood, that in proportion to the magnitude of the expence, is the propriety of instituting an inquiry. The ex-

pence in the present instance is unquestionably great; and how is it attempted to be justified? We are told that the different circumstances occasioning it were unforeseen. This, indeed, if any, is the only excuse which can be made: but mark the inconsistency, observe the application of this excuse to the manner in which the subject has been treated this evening. We are told that barracks were erected, and expence incurred upon the spur of the occasion. This is the excuse; but not satisfied with this, the right honourable gentleman, in the same breath, enters into an elaborate justification of the propriety of keeping them up as a permanent source of expence. He informs us, that necessity produced all this of a sudden, and at the same time assures us that it has been long a matter of experience, that the military could not be properly accommodated in any other manner. The plan has avowedly been long in agitation, but ministers have never thought proper, as they ought to have done, to bring it regularly before this House. They have, on the contrary, incurred all the expence, and gone on in the prosecution of an extensive system, not only without the authority, but in absolute defiance of parliament. When I talk of erecting barracks on a system, the right honourable gentleman may perhaps not chuse to understand me. I remember a dispute I had with him upon the laws of nations. Those he treated with very little ceremony, and seemed to be of a similar opinion with Citizen Genet, who thought that without any great loss, they might all be thrown into the sea. If this system is to be defended, and defended in such a manner as I have heard this night, we may dispose in the same manner of all the laws of England. We may, when we please, throw into the sea, the commentaries of Mr. Justice Blackstone, and the brilliant speeches on this subject delivered by the late Lord Chatham. We are triumphantly told, that our ancestors gave their occasional consent to such a measure. What! can the right honourable gentleman say, there is any resemblance between small cantonments partially taking place, and the whole army of this country being constantly secluded from the rest of the inhabitants, and shut up in permanent barracks? I certainly do not ask much upon the present occasion, when I state it as my opinion, that before we introduce innovations contrary to the avowed doctrines of Mr. Justice Blackstone and other constitutional writers, parliament ought to be consulted, ought to have time for deliberation, and ought to have given its solemn decision.

Great reliance has been placed upon the argument, that this subject was actually discussed in the debate upon a motion brought forward by my honourable friend who spoke

last, (Mr. M. A. Taylor.) * That motion was for the purpose of passing a resolution, that such a system as was then entered into of erecting barracks, was contrary to the practice and example of our ancestors. What was then done by the House? They did not put a direct negative upon it, but got rid of it by the order of the day. Can this be called a solemn decision of parliament, upon the principle of this measure? The most that can be said of it is, that they did not disapprove of what was immediately doing; but that decision gave no countenance whatever to the unauthorized expenditure of public money. I very well recollect, that that debate, in which I took a share, by no means turned upon the principle, but upon the words of the motion. The right honourable gentleman has certainly logic enough to perceive the difference, and to allow that the denial of any particular proposition is not an universal affirmation of its opposite. But how stands this question with the constitution? Its opposers say it is but a name, but a mockery of a constitution. How many melancholy facts daily occur to justify the assertion! Large sums are expended, without consulting parliament, without bringing forward any estimate whatever; a thing surely not difficult to be obtained. An argument has, with propriety, been adduced from the civil list. The king has it not in his power to make any arrangement in his parks or pleasure grounds, where a salary is to be given to the amount of 500*l.* without an order passing the sign manual, and being approved by the lords of the treasury. I applaud this with reluctance, as I do any thing relative to the management of the civil list. But I have not heard of any estimate on the subject of barracks being approved by the lords of the treasury; if there has, why has it not been presented to this House?

The right honourable gentleman seems to hold all arguments of fact extremely cheap. He says, he understands our manner on this side of the House. I think he was long enough with us to understand our sentiments too; and he ought to know, that when we talk of the increase of patronage, it is not as a mere matter of declamation, but as an object of serious apprehension and danger to the liberties of the country. He defends himself by saying, What! would you deprive the poor officer of this his last resource? I know not how many worthy objects may be selected to fill such situations under government, but I do venture to say, on good authority, that many are appointed for no real purpose

* See Vol. v. p. 49.

but that of forwarding ministerial elections. There is an ostensible and a secret purpose combined. It is, in the language of the right honourable gentleman himself, like a theatrical dress, where the gold and embroidery serve to conceal the dirt and dowlas beneath. The right honourable gentleman tells us, that no barrack-masters were appointed without an intention of erecting barracks. I hardly, indeed, could suppose that they would be so absurd as to appoint barrack-masters without any intention at all. He allows, however, that there were three instances where no duty whatever was performed. He has appealed to the honour of the gentleman at the head of that department, the barrack-master-general, for the propriety and economy of the manner in which the business is conducted. Does he not recollect, that to pledge a man's honour is not the most honourable mode of accounting? and that to such a man it may be answered, I have no intention of disputing the point of honour, but I want to know what you have done with the money? For these different reasons I exceedingly approve of appointing a committee of inquiry; and if it still be resisted, I do say, however liable I may make myself to invidious observations, that we have but a mockery of a constitution. If ministers disregard all fundamental principles, if this House calmly tolerate their excesses, if the power of raising and applying money be exercised, not by the House of Commons but the king's ministers, what is our constitution, but a farce and a mockery?

We hear, Sir, many orations upon the necessity of obedience and subjection to the laws; but if those at the head of the government paid equal deference to the laws, with the other orders of the community, we should have little reason to complain. Example would avail ten times more than precept. It is strange that those who have the law constantly in their mouths, should, with equal perseverance, be acting in direct opposition to it. My honourable friend who spoke before me, illustrated this subject by an allusion to what passed on the fortification act. The illustration was certainly in point. If this House had not entered into the examination of that system previous to its being carried into execution, what would have been the consequence? Would it have met with the fate which it experienced? By no means. Had the expence been first incurred, and the plan brought forward afterwards, this House, I believe, would have acceded to the measure. I am not, indeed, so sanguine as to imagine, that the barrack-system would, in these degenerate days, have been resisted, even if it had been brought forward in a way equally regular. But at all events, ministers would have acted more openly and avowedly in the business: and if it

had been carried, it would have been, as it ought, an act of the legislature, and not merely of the executive government.

The only tools which ministers seem not to think dangerous are edge-tools; they play with them with all the complacency imaginable. I repeat, that the maintaining of a standing army in this country, and dissolving the connection between the soldier and the citizen, is a subject of the highest delicacy, of the greatest intricacy, and is not thus wantonly to be sported with by ministers, without condescending to consult the wisdom of parliament. We seem to have thrown away all that constitutional jealousy which ought ever to be awake in a free country. We have sacrificed it to a false alarm. The exorbitant power and influence of the crown in this country must ever be pregnant with danger to its liberties. In better times than these, the opinion was that it ought to be curtailed; and, in the present day, is there no ground for a continued and watchful jealousy? On the contrary, the more power we give, there is the greater cause for jealousy. Such was always the opinion of our ancestors; such ought to be our opinion; and before ministers dared, in the present instance, upon a plea of necessity, to trample upon the rights of Englishmen, it would have been but decent, even for form's sake, to have given this House an opportunity of exercising its deliberative functions, before a measure was carried into execution so hostile to the general freedom and happiness of the nation.

The motion was also supported by Mr. M. A. Taylor, Mr. William Smith, Mr. Courtenay, Mr. Grey, and Mr. Sheridan. The House divided:

	Tellers.			*Tellers.*	
YEAS	Mr. Sheridan Mr. M. A. Taylor	24.	NOES	Mr. Steele Mr. Sargent	98.

So it passed in the negative.

Mr. Francis's Motion respecting the better Regulation of Slaves in the West Indies.

April 11.

THIS day Mr. Francis moved, "That leave be given to bring in a bill for the better regulation and improvement of the state and condition of negroes and other slaves, in the islands, colonies, or plantations in the West Indies or America, under the

dominion of his majesty, his heirs, or successors." After the motion had been opposed by Mr. Serjeant Adair,

Mr. Fox rose and said: — The case, Sir, which we have now before us is unquestionably one of very considerable magnitude. I am still, however, ready, when called upon, to give a decided opinion upon the subject, and to shew the reasons upon which that opinion is formed. Before I enter upon the discussion of the question, it is impossible for me not to premise, that whatever may be the result of the motion, the House and the public cannot fail to be gratified with the ability and philanthrophy of the honourable mover, and must ever do honour to his humane intentions. It is undoubtedly a question attended with many and serious difficulties, and nothing of an extraneous nature ought, if possible, to be introduced or enlarged upon; the attention ought not to be diverted from the main object immediately submitted to our decision. I cannot, however, refrain from taking notice of what has been said relative to this country or America, being the proper asylum where the friends of freedom may expect to find themselves secure from the encroachments of arbitrary power, and the miseries of unjust oppression. My honourable and learned friend opposite to me has talked of the blessings of this free constitution, and the advantages resulting from it to those who live under it. Such things may have existed; but, if I am to speak of our constitution as it now exists, if the retrograde movement which has commenced is suffered to continue, if the present system of government is persevered in, there is an end of all those blessings; we may go any where else we please in search of true liberty. Let us look back, Sir, to the year 1784; let us trace the progress of ministers at different periods, but let us particularly consider what has passed in the present session, and we must perceive such enormous alterations in this constitution, that those who were formerly acquainted with it, could not possibly know it again. America is said to have a new and untried constitution: the observation may be just; but I cannot help thinking, that from the late wonderful innovations, the constitution of this country may practically be said to be of a later date, than even that of America or any other country whatever. Upon this, however, I shall not enlarge farther at present.

As to the object of my honourable friend's motion, it seems to be admitted, that the principles upon which it is supported, are of the most desirable nature. So much, indeed, do I conceive this to be the case, that I think it unnecessary to argue upon the wisdom of them, considered in an abstract point of view. He has likewise admitted that the improvements he looks up to, must be of a gradual nature; and he has cer-

tainly hit upon the most solid and natural basis on which to build his future superstructure, when he proposes to commence his operations by establishing a system of property among the negroes. Independently, then, of the principles abstractedly considered, the chief questions seem to be; first, how far in a prudential point of view, it is wise in my honourable friend to bring forward the proposition he has now done, as connected with, and introductory to the final abolition of the slave trade; and secondly, what are the means by which he intends his principles to be carried into practice?

My honourable and learned friend who spoke last, seemed to consider this as a debate upon the propriety of adopting the proposition now made to the House, or of deciding for a total abolition. How happy should I feel were that actually the case, and with how little hesitation should I prefer a total abolition! I do not consider that my giving my vote one way or the other this evening, is to be considered as an instance of my receding one step from the ground which I have always taken on the question of the entire abolition of the slave trade. I have pledged myself to the House upon that point. Those honourable gentlemen who have been equally, if not more strenuous than myself in this cause, I do not presume have any intentions of abandoning it; but sure I am, that no session shall pass, while I have the honour of sitting in this House, without my exertions being employed to accelerate this desirable event. I, for one, am determined not to contribute to the increase or perpetuation of that stigma which must ever be attached to this House and to this country, while that abominable traffic is permitted to exist. If, Sir, we were at the beginning of a session, and there was any solid hope that an abolition was likely to take place, I would yield to the argument of my honourable and learned friend: but the bill introduced for that purpose has been lost. I know not exactly, if the forms of the House admit of the introduction of another, for the accomplishment of the same object; or if they did, I see no certainty of better success. When I look forward, I see little rational ground of hope, particularly when I reflect upon the characters and situation of some men who were in the minority on the late question. To say, that men of the greatest power and influence in the country, and of unquestionably great abilities, could throw little weight into the scale in the consideration of any question would indeed be ridiculous. What was actually the case? The question was introduced during the administration and with the approbation of a man, who surely had neither less influence nor less personal talents than any of his predecessors, and yet the plan has failed. If this be so, when, where, how are we to pro-

cure success? The plan too, Sir, was defeated, after a solemn decision of parliament; and having disgraced themselves in this shameful manner, what right have I to hope that another occasion will soon be presented for the attainment of this desired object? What, then, does my honourable friend propose? That the House will not totally forget all those honourable, humane sentiments they have formerly uttered upon the occasion; but that if they are not inclined to fulfil all they have promised, they will at least shew a desire of doing something.

I now come to consider the nature of the means by which my honourable friend proposes to carry his proposition into execution; and upon this undoubtedly the whole difficulty rests. The right of taxation and of general legislation have, I conceive, been improperly confounded together. They are, to all intents and purposes, practically different. This difference was constantly acknowledged in the great question of American independence. The Americans never found fault with our legislative acts, until they involved the question of taxation. Lord Chatham, in a speech which he made in this House, and I do honour to his memory for the sentiment, said, that he rejoiced in the resistance made by America, to every attempt to tax her, for the purposes of revenue: and in the very same speech he added, (I do not say I go all that length with him,) that he nevertheless would not permit any matter of commerce to take place, not even a hob-nail to be made in America, without the sanction of the British legislature. I mention this chiefly to shew the distinction that has been made betwen legislative acts of the one kind and the other; but in the American dispute there was a difference taken, not only between acts of general legislation and of taxation, but between acts of taxation for the purposes of internal regulation, and acts of taxation for the increase of the revenue. Acts of taxation for the regulation of the Post-office were quietly acquiesced in. It was only when we offered them the alternative to accept or refuse indiscriminately acts of every description passed by the British senate, that they discovered signs of serious resistance.

With respect to the West Indies, we have already renounced every right of taxation. My learned friend says, we have no right of this kind. So do I. But he says, that he is not ready to admit in what respects legislative acts of any other nature may be passed, and he has brought forward the case of Ireland as in point upon this question. The act passed fourteen years ago put that matter right as to Ireland. In no instance could the difference between acts of legislation and taxation be more clearly ascertained. I from this source

drew my arguments during the American war. In every case either of external or internal regulation, the Irish were perfectly submissive; but if the bare intention of raising a tax for the purpose of revenue had gone abroad, it would inevitably have produced resistance. I must confess, at the same time, that to legislate for colonies, is at no time desirable; it ought only to be done when necessity calls for it. How far is this the case at present? I do not wish, it must be observed, upon this occasion, to repeat the mere letter of the law. My learned friend, and every other professional man, would certainly tell me, that a statute that relates to any transaction as passing in Jamaica, would be as binding as if it took place in Middlesex; but I am not fond of unnecessarily exercising this legislative authority over persons not actually represented, and where the local situation is almost totally unknown. But we are at present reduced to an unfortunate dilemma, and I am obliged to put this question to myself, "Whether it be better to make use of a partial remedy which may in some respects be exceptionable, or permit the evil in its full extent to continue?" I have been accused of throwing out the threat of independence upon the subject of the West India islands. I do, in answer to that, most decidedly affirm, that if it were to become a question, whether these islands should be connected with this country, and in consequence of that connection, all the stigma attending the abominable system of slavery should be ignominiously continued, or that their complete independence should take place, I should not have one doubt on the subject. I am by no means blind to the danger of such a separation. I desire it not: but if the colonies were inclined to refuse their assent to so wise and humane a proposition as has now been made for the amelioration of the state of the slaves, I should not feel myself inclined to employ either armies or navies to reduce them to subjection, but would, in the language of a gentleman, who, though not present, I cannot name, as being a member of this House, desire them to "go and be happy in their own way," if happiness could be found by acting contrary to every principle of justice, policy, and humanity. If, however, it be acknowledged that the British parliament has the power of general legislation, and that it may in some cases of necessity be exercised, I ask, what case of greater necessity can be put, than a case which involves the character and honour of the British name? I have occasionally said, that a war to preserve our honour is the only justifiable war. Even this principle, were it necessary, I should not find myself at a loss to support; but if in any case a legislative act is demanded for the purposes of interest, policy, aggrandisement, or the increase of commerce,

are any such objects to be compared with that of removing the national dishonour, which must ever be connected with the support and continuance of this trade in any of its branches? I shall for these reasons unquestionably vote for the introduction of this bill.

Were any person to give me a reasonable ground to hope that an abolition of the slave trade would speedily take place; were it held out to me that any other step would be taken towards an amelioration of the state of the slaves in the West Indies; were I to be told that a recommendation should come from the throne to effect the desirable purpose, I might perhaps be silent upon this occasion; but let me no longer hear of expectations from the acts of colonial assemblies! When I look at the infernal code of laws under which the poor negroes languish, when I see they are not considered as men, and reflect one moment upon the penalties to which they are subjected, and the oppression under which they labour, I expect nothing from assemblies who give countenance to such proceedings.

It was urged as an argument by my learned friend, that the question of abolition to which he so heartily gives his assent, by no means involves the dispute on the right of legislation, but that every provision in that bill comes within the acknowledged authority of this House; but permit me to say, that the opposers of that bill, and some of them high in authority, constantly held out as an argument of some weight, the opinion which those immediately upon the spot in the West Indies, or immediately connected with them, might entertain upon the subject. This, therefore, is no fair ground for opposing my honourable friend's motion. As to the question of representation, the West Indies are not, properly speaking, represented in this House, nor is it practicable, perhaps, that they should be so; neither is Ireland; neither was America. As to their representation in the West Indies, it might be called a pure representation of property, in consequence of the number of blacks. But we ought, in this case, to consider the difference between a real and a virtual representation, and the proportion which, in this respect, the West Indies bear to any other instance known in this country. Were we even to bring to our recollection the time when so many Irish landholders resided in this country, and held seats in this House, and when so much land in Ireland was under mortgage in this country, yet would that bear no proportion to the power and influence of West India proprietors at the present moment. A country may, undoubtedly, be virtually represented. I do not say it is in every.

instance the best mode; but standing where I now do, I must acknowledge the fact; and, surely, if any country was ever virtually represented, it is the West Indies in this House. Does not every gentleman who hears me, feel, from the fate of the bill for the abolition of the slave trade, that they are both virtually and powerfully represented in this House? In short, Sir, no case can appear to me to call in a more pressing manner upon the legislative authority of the British parliament than the present, unless we consider as nugatory all we have ever heard, either from those who promote or oppose the abolition of the slave trade. Good God! Mr. Speaker, have we come to a solemn decision upon the subject, and yet pass year after year, without taking a single measure to carry our resolutions into execution? We are guilty of hypocrisy of the basest sort. I am constrained to vote for any measure of the kind proposed, in order to prove that there is yet some sincerity left in the House of Commons.

I hoped, Sir, that my learned friend in opposing this motion, and with the anxiety he expresses for a total abolition, would have thrown out some prospect of such an event being likely to take place; but I am sorry to say, I see none such at the present period. After what took place in the year 1792, and the subsequent flagrant breach of promise that has been exhibited, all assurances coming from this House must naturally be looked upon as vain and frivolous. At the same time, I confess I even now think it would be something, were the House, during the present session, to come to some solemn resolution on the subject. I have already said, that a vote on this question must necessarily be given with some degree of difficulty; but I give mine clearly and conscientiously, because such a measure, with all the obstacles attending it, is less objectionable, and less contrary to humanity and justice, than doing nothing to alleviate those miseries which are at this moment attached to slavery in the West Indies. Were an entire abolition of the trade to be proposed in 1796, or were it now to be proposed at any fixed period, I should probably object to any regulations of an inferior nature; but the question of abolition is lost, and I have no option left. It is indeed, come to this, that the British parliament have refused to abolish the abominable traffic in human flesh, and the slaves in the islands are to be left to the humanity of the West India proprietors! If it were apparent from authentic documents that the colonial assemblies would pass those acts which humanity demands, or that an abolition of the trade would be effected by parliament, there would be no occasion for any such measure as the present; but if no such thing is

likely to take place, I find myself under the necessity of voting for the motion of my honourable friend.

The motion was negatived without a division.

Duty on Succession to Real Estates.

May 5.

ON the motion that the bill for granting a duty on succession to real estates in certain cases be immediately recommitted, Mr. Rashleigh moved, that it be recommitted on that day three months.

Mr. Fox said, that this measure laboured under two objections; first, the novelty of the principle, as a tax upon capital; and secondly, the iniquity of the application. It was a system which, if acted upon to the extent to which the principle might be carried, (and he admitted the present instance to be only a slight degree,) would enable the state to seize upon the whole property of the country. Of all shapes in which despotism had ever appeared in history, the most frightful was that under which the sovereign became heir to the whole property of individuals; and were the principle of this measure once admitted, it was impossible to calculate how far it might be extended. From brothers and relations in a collateral line, it might in time reach to children, and from four or five per cent. the tax might be increased to ten or twelve. This was his principal objection to the bill. He had another, however, grounded upon the particular hardship which would in certain cases attend its operations. In cases of marriage settlements, children were most frequently the objects for whom provision was made, but sometimes collateral relations had an interest in the settlement. A case of that kind had come under his own experience. In case of the death of his nephew, Lord Holland, he was to succeed to the estates of his elder brother, by an article in the marriage settlement. As it happened, he had not given any consideration for the contingent benefit of this settlement. He might, however, have paid his brother some consideration for it, and in this case, were the tax to attach upon this property, the contract would be violated, because he would not receive it in the same circumstances in which it was when

he concluded the bargain. On these grounds he seconded the amendment.

The question being put, that the word "immediately" stand part of the question, the House divided:

	Tellers.			*Tellers.*	
YEAS	Solicitor-General Mr. Douglas	65.	NOES	Mr. Rashleigh Mr. Jekyll	24.

May 9.

On the motion, that the report of the committee on the said bill be now taken into consideration, Mr. Crewe moved, that it be taken into consideration on that day three months.

Mr. Fox said, that all his objections to this measure remained in full force. It was, in fact, what he had stated it, a tax upon capital, for it was levied in proportion to that capital. If it was really a tax upon income, why not fairly lay it upon income? It was said, that it was to be paid by instalments during the first four years, but if the same was paid by the man who enjoyed four, and the man who enjoyed forty years, it could not with propriety be said to be a tax upon income. In such a country as this, all taxes on capital were particularly dangerous. He did not mean to undervalue the constitution of this country, but he believed that much of our prosperity might be owing to the complete disposal of property which was enjoyed. If this tax had been laid on the transmission of property by sale, he believed no man would have denied its bad effect; but when freedom of disposal even at death was impaired by annexing burdens to the transmission, the bad consequences would, in a certain degree, be felt. In all cases where the payment of the tax depended upon the terms of succession, production of deeds was inevitable. Whether a brother succeeded as heir to his brother or to his father, in a variety of possible cases, he would be liable or not liable to the tax; of course, a minute examination of settlements would be necessary, if the tax was meant to be effectively levied. With regard to the levying of 100,000*l.* by the tax, it was not the extent of this sum, but the precedent that was thought to be dangerous: it might be extended to direct succession; and he saw no difference in the principle. It was said, there was less right to expect in the cases subject to the tax; but there were many instances where the expectation was greater in collateral than in direct descent, as in the case of entails, where the heir had a greater cer-

tainty of the possession than a son, whose father might dispose of what part of his estate he pleased. Upon the whole, there was no principle of taxation more destructive than that which tended to destroy forcibly the power of exchange and transmission, and thereby lessen the desire of acquisition. And, as this bill encroached upon this principle, he hoped, notwithstanding the result of former divisions, that the House would consider seriously the consequences that might follow from so new and unprecedented a system of taxation.

The House divided on the motion, That the word "now" stand part of the question:

	Tellers.			*Tellers.*	
YEAS	Attorney-General, Mr. M. Montagu	81. —	NOES	Mr. Crewe, Lord Cavendish	52.

MR. GREY'S CHARGES AGAINST MINISTERS, RELATIVE TO THE EXPENDITURE OF PUBLIC MONEY.

May 6.

THIS day Mr. Grey brought forward several heavy charges against ministers. They had, he said, violated the act of appropriation, the main pillar of the pecuniary privileges of parliament, by diverting the grants of money to other purposes than those for which they were voted, and they had endeavoured to screen themselves by spurious accounts. He then detailed the particulars in proof of his accusation, adding, that if the necessities of the times had compelled them to have recourse to such methods for procuring money, they ought, without disguising the fact, to have applied to parliament for indemnity. The House of Commons had, he said, been notoriously faulty in not setting limits to the extraordinaries during the American war; and the committee appointed to examine and digest the public accounts had particularly pointed out the ruinous consequences of such negligence. Mr. Pitt had censured it himself with peculiar severity, but had nevertheless been more guilty than any of his predecessors. So determined was the House to put a stop to these infractions of its rights, that it passed, in 1784, a resolution, that should parliament be dissolved before the act of appropriation had passed, to misapply the money granted should be reputed a high misdemeanor. An act had also been passed under the present minister, to obviate the bad consequences of balances remaining with the paymaster-general, and to provide for the constant pay of the army; but this act had been notoriously infringed; the paymaster having actually in his hands a balance of eighty-three thousand pounds. Mr. Grey,

after mentioning other instances of misapplication, adverted to the disposition-paper, a species of voucher first used in the prodigal reign of Charles II. and established at the Revolution, as an authentic document, to inform parliament in what manner the supplies they had granted had been expended. This paper he considered as a mere deception; its contents represented the sums voted by parliament, as issued and applied conformably to its intent, which was contrary to truth. This he might be told was only a form; but the practice was in fact directly opposite to the regulations enacted by the legislature, in order to preserve to itself the power over the national purse, against the attempts of ministers to dispose of the nation's money at their own discretion. On these various premises, Mr. Grey moved the following resolutions:

1. "That at all times, and under all circumstances, it is the indispensable duty of the House of Commons vigilantly to superintend the expenditure of the public money, and strictly to inquire into the application of the grants made by parliament to the service for which they have been voted."

2. "That by an act passed in every session of parliament, the particular sums granted for each particular service are specified, and the money that shall be paid into the exchequer is appropriated to their discharge: and that it is strictly directed that such aids and supplies shall not be applied to any use, intent, or purpose whatever, other than the uses and purposes mentioned in the said act.

3. "That it appears from an account presented to this House on the 21st of April, 1796, that the sum of 644,106*l.* 7*s.* 9*d.* was then due to the several colonels or commanding officers of his majesty's forces, for net off-reckonings and clothing for the years 1794 and 1795, although, by acts passed in 1794 and 1795, money was granted to discharge the same; and although the said acts direct that the money so granted shall be applied in discharge of the same, and not otherwise.

4. "That it appears from an account presented to this House on the 21st of April, 1796, that the sum of 146,900*l.* 12*s.* 4*d.* is now due to the general and staff officers of his majesty's forces for the years 1793, 1794, and 1795, although, by acts passed in the said years, money was granted for payment of the said sum; and although the said acts direct that the said money so granted shall be applied in discharge of the said sum, and not otherwise.

5. "That it appears from an account presented to this House on the 21st of April, 1796, that the sum of 34,313*l.* 13*s.* 3*d.* is now due to the several governors, lieutenant-governors, and other officers of his majesty's forces and garrisons, in Great Britain and parts beyond seas, for the years 1794 and 1795, although, by acts passed in the said years, money was granted for discharging the said sum; and although the said acts direct that the money so granted shall be applied in discharging of the same, and not otherwise

6. "That it appears from an account presented to the House on the 21st of April, 1796, that the sum of 31,056*l.* 3*d.* due to

the general and staff officers of his majesty's forces, for the year 1794, was paid out of grants for the year 1796, although, by an act passed in 1794, money was granted for discharging the said sum; and although the said act directs that the said money so granted shall be applied in discharging the same, and not otherwise.

7. "That it appears from an account produced to this House on the 21st of April, 1796, that the sum of 172,100*l.* due for off-reckonings, to the 24th of December, 1794, and which remained due on the 21st of January, 1796, was discharged out of the vote of credit granted for the express purpose of defraying expences that may occur in 1796. By an act passed in 1794, money was granted for discharging the said sum; and although the said act directs that the money so granted shall be applied in discharge of the same, and not otherwise.

8. "That it appears to this House, that by an act passed in the 23d year of his majesty's reign, for the better regulation of the office of paymaster-general of his majesty's forces, it is enacted, That no money for the service of the army shall be issued from his majesty's exchequer to the paymaster-general of his majesty's forces, or shall be placed or directed to be placed in his majesty's hands or possession; but the same shall be issued and directed to be paid to the governor and company of the bank of England, to be placed to his account.

9. "That it appears to this House, from an account produced on the 22d of April, 1796, that, in open contempt and defiance of the said act, the sum of 430,200*l.* has been issued directly to the paymaster-general of his majesty's forces, in exchequer bills, on the vote of credit for 1796; and that a balance of 83,300*l.* was remaining unissued in his hands on the said 22d of April, 1796.

10. "That it further appears to this House, that, by the said act, the paymaster-general of his majesty's forces is directed and required to form his memorials and requisitions to the treasury, and to issue his drafts upon the governor and company of the bank of England, upon the 24th day of June and 24th day of December in every year, in equal payments, to such person or persons as have a regular assignment from the several colonels, lieutenant-colonels, commandants, majors, captains-commandant, and captains, for the monies appropriated for the clothing of the non-commissioned officers and private men of his majesty's regular forces.

11. "That it appears to this House, that the sums of money appropriated for the clothing of his majesty's regular forces, and which, according to the provisions of the said act, ought to have been issued on the 24th of December, 1794, the 24th of June and 24th of December, 1795, had been directed to other purposes, and still remained due on the 1st of January, 1796, in open contempt and defiance of the said act.

12. "That it appears, that an account is annually presented to this House, shewing how the money granted for the service of the preceding year has been disposed of, distinguished under the several heads, and the parts remaining unsatisfied, with the deficiency thereupon.

13. "That such account was intended to be, what in its title it professes to be, a real account, shewing how the money given for the service of the year had actually been disposed of, in order that the House of Commons might be informed of the state of the public expenditure, and satisfy themselves as to the application of the money voted to those services for which it had been granted by them.

14. "That an account of the above description has been presented to this House in each of the years, 1794, 1795, and 1796, in which the money granted for the services of each year is stated to have been applied to the services for which it was voted by parliament, although it now appears, from accounts since presented to this House, that the sums of 644,106*l.* granted for off-reckonings for the years 1794 and 1795; the sum of 146,900*l.* granted for the pay of the general and staff officers of his majesty's forces for 1793, 1794, and 1795; the sum of 34,313*l.* granted for the pay of the several governors, lieutenant-governors, and other officers of his majesty's forces in Great Britain and parts beyond seas, for the years 1794 and 1795, and severally stated to have been disposed of for those services, still remain unsatisfied.

15. "That, in the instances above mentioned, his majesty's ministers have been guilty of presenting false accounts, calculated to mislead the judgment of this House, of a flagrant violation of various acts of parliament, and of a gross misapplication of the public money."

The reply, made by Mr. Pitt, stated, that though ministers were bound faithfully to appropriate the public money to the purposes specified, yet there were a multiplicity of cases wherein that rule could not strictly be observed. Services of the most critical importance, and the most imperious necessity, often compelled them to deviate from the letter of the act of appropriation: but was that, or was any other act, to stand in the way of material services due to the nation by those who were entrusted with its safety and preservation? These deviations were founded on wise precedents, and sanctioned as just, by long and repeated experience. Extraordinaries were the inevitable attendants of war, especially such an one as the present, which requiring unprecedented exertions, justified unprecedented methods of conducting it. Mr. Pitt adduced a number of facts to prove that he had acted comformably to the practice authorized in former wars. The very act of appropriation, he said, evinced the propriety of extraordinaries, by making good several millions expended under that head; and no objection was ever made to the principle itself.

Mr. Fox said, he knew not what character the right honourable gentleman would be disposed to allow him for candour, but he was under the necessity of speaking upon the question before the House, and he should speak as he felt, as was his custom. He had listened as attentively as he could to a very able speech delivered by the right honourable gentleman. What struck him first upon reviewing that speech

was, that the right honourable gentleman had made great exertion where there was the least occasion for exertion, in point of real argument. Where his honourable friend who had made the motion, had dwelt the least, and touched on points as being merely incidental, there the right honourable gentleman had been the most elaborate in his answer. Where his honourable friend had been the most forcible, there the right honourable gentleman had been the least explicit. The truth of this matter was, the right honourable gentlemen had said much on points which required but little, and very little on those which required a good deal. The right honourable gentleman, however, had been very methodical, and he should endeavour to follow him in the order he had adopted. The part on which the right honourable gentleman was the the most successful, was that which went simply to state, that the whole which had been done by administration, against the letter of the law, was the result of necessity. On this he had justified the whole of his extraordinaries, upon the extent of which his honourable friend had spoken so ably that day. Now, if any gentleman had heard the speech of the minister that night, without hearing that of his honourable friend, that was to say, whoever had heard the defence, without hearing the accusation, would have thought that the accusation was merely the incurring of any extraordinaries at all, not that they had been incurred improvidently, or that they had been withheld improperly from the House, or that when incurred or provided for, the money voted for them had not been applied to their discharge. With respect to army extraordinaries, he would first say, in a general way, that, to a certain degree, they were evils unavoidable. He said this without diffidence, because extraordinaries had been recognized by the House of Commons, precisely under the description which he was then giving of them. The minister himself had in his speech of that day admitted extraordinaries to be an evil, but had contended that they were necessary. This was the answer which he gave to that part of the charge, although by what he had said, he had admitted them to be, to a certain degree, contrary to the principles of our constitution. He must therefore contend, that these practices, which partook of an unconstitutional nature, ought to be avoided as much as possible in our executive government in its future arrangements. The right honourable gentleman had maintained, that if the expences of the year exceeded what the executive government had foreseen, and that in matters which required immediate payment, we must pay that service which had that necessary demand upon us; and when that necessity demanded it, we must so far obey the

act of appropriation. Undoubtedly, this would always appear to be true, if it was to be argued generally, as the minister was pleased to argue it now: and this sort of argument would be applicable to any other law, as well as the appropriation act, inevitable necessity being an answer to every thing. This certainly, taken in its full extent, would apply to any act of parliament, as well as the appropriation act. It would, in short, apply to every thing as a general rule, and only be subject to some particular exceptions, as most general rules were.

The right honourable gentleman had alluded to the case which was debated in the year 1744, where the House of Commons had inquired into the disposition of 40,000*l.*, and how far that was, or was not, a deviation from the duty of the executive government to make the appropriation which they did of that money; whether there was ground for censuring administration? and that upon that question the House of Commons had determined, that this conduct of the executive government was deserving of praise instead of censure. He had no doubt of the regularity of that determination of the House of Commons, nay, he would go farther, and say, that had he been a member of that House at that time, he believed he should have voted in the majority upon that occasion. What principle did the agitation of that question inculcate? It shewed to us this, that 145 members of the House of Commons of that day thought that the slightest deviation from the letter of the appropriation act deserved to be censured, and here he could not help observing, that the right honourable gentleman seemed to think that he was speaking *ad hominem* to him, when he told him, that that person for whose memory he had, as he ought to have, great esteem and gratitude, (his father,) voted in the majority. To which he could only answer, that he believed the right honourable gentleman would find on examination, that another person equally entitled to the esteem and gratitude of that right honourable gentleman, (the late Earl of Chatham,) voted in the minority in the same division, and therefore thought that it was proper to censure ministers for applying this money, even on that occasion, contrary to the provisions of the appropriation act.

But what was the accusation here? Not that the payment of a particular bill drawn should not be made, when that became necessary for the service; such an accusation his honourable friend was incapable of making, or if he was, Mr. Fox said, he was sure he would resist it; but that the extraordinaries had for a long time been studiously concealed from the House, when the ministers ought to have stated

them, because they knew them. It had been stated, that in a book, which he admired as much as any one did, and also in the report of a committee of that House in 1782, the extraordinaries of the American war were censured. They certainly were so. The right honourable gentleman had stated that the extraordinaries were very great in that war, and that administration could not now be blamed for these extraordinaries, any more than they were at that time. Upon this he must observe, that the case was widely different between the condition of that administration and the present. However desirable it might be to put an end to extraordinaries at that moment, it was absolutely impossible. Was the case the same with the right honourable gentleman? Indignant as he professed himself to be at the amount of these extraordinaries, and violent as he was at the administration which had carried them to such an extent, coming into power upon these principles, and presiding in the government of the country during seven years of peace, one would have naturally expected, that in this particular at least, there would have been some radical reform; instead of which, the present minister laid before parliament accounts of extraordinary expences which far exceeded any that were ever incurred by his predecessors. The right honourable gentleman had talked of our extraordinaries being no more than four million in three years. The fact was, they exceeded that amount in this very year; and upon this part of the subject the right honourable gentleman had made for himself deductions which he did not allow in his calculations to Lord North. Mr. Fox stated the sums, to illustrate his observation.

He next proceeded to observe that the minister had that day defended himself by referring to the American war, the practice of which they had all reprobated, and the right honourable gentleman most of any; this was a little singular, but however, so it was, and the House would do well to observe it. The right honourable gentleman had taken up considerable time upon this, and he was sorry he had imitated him in that respect, for the point was too clear to require much argument. The great matter to be explained was, how did it happen that when the House had voted sums for extraordinaries, that these sums were not applied to the purposes for which the House thought they were intended? That the services were not paid for as provided? He wished to know why they were delayed after they were provided for? He wished to know in particular why the payment of the clothing of the army had been so long delayed, and that contrary to the express direction of the act of parliament

passed for that purpose? Why! the right honourable gentleman would say, because money allowed for that purpose was applied necessarily to other services. Surely, however, that complaint should not have existed an hour after the vote of the next, which included all these allowances, and made up all these deficiencies. How did the minister answer this? By acknowledging a system which tended to bring our finances into a state of greater confusion than any man in this country had ever thought of before. The system of the right honourable gentleman was, that new votes for old demands should, at the discretion of the executive government, be applied to the discharge of still newer demands, so that to the uncertainty of the application of money voted by parliament, there was to be no end. How was it possible to come to any clearness in practice upon such a system? What excuse could there be made for such confusion? Why not apply money in general to the purpose for which it was specifically voted? The extraordinaries were generally voted early in the session. At least he was entitled to ask, why we did not pay off arrears of former years, for which sums had been specifically voted?

To put this point in another way, the minister should hereafter candidly declare, that although he called on parliament to vote a sum of money for a particularly described purpose, he nevertheless meant to apply it to another. He heartily wished that there might come a system by which they should understand directly what it was they were doing. That, if necessary, the House might vote so much occasionally for the deficiency of supply of each preceding year under that head specifically. Although this would appear extraordinary, he could not help thinking it would be a considerable improvement in the mode of transacting the business of the public. They would then annually see how much the preceding year was deficient, and clearness was essential in the transacting of business. That, therefore, instead of voting any extraordinaries, there should be voted sums to satisfy all demands for services, the payments of which had not been fulfilled on account (to make use of a favourite expression of the minister) of the diversion of former services. It would be better to do so at once; for that in substance, although not in letter, they had been a long time doing. That would not be a more substantial disobedience of the law than the present practice, and it would be accompanied with the advantage of being more intelligible to the public.

On what principle was it, that instead of settling our arrears, they left those arrears standing on account of the necessity of settling new demands? Let the House see to what

this practice would lead. The minister said that new demands were often more urgent than arrears. Granted. The vote of credit was exhausted. These new demands might be stated to the House, and then they should provide for them as they occurred, instead of postponing the payment of arrears, instead of distressing those who accused them of that shameful and scandalous mode of conduct. These arrears fell heavy on the persons to whom they were due first; afterwards on the executive government, and finally heavy on the mass of the people, who must bear the whole of their load eventually. If some regulation was not adopted upon this, where were they to end? The minister said, that these were extraordinary services for which it was necessary to appropriate money in preference to other services of last year. If the fact were so, he must observe, that, unless some regulation be made of this, new services would follow one another, so that the House of Commons, or the people, could never know that the money was applied to the purposes for which the law required it to be applied. Besides the perpetual confusion which such arrangements must produce in our accounts, how was parliament to know where this system would end? We might go on perpetually contracting debt, and perpetually voting extraordinaries for past deficiencies, but which were applied to new demands, leaving always the arrears unpaid.

Having said thus much on the violation of the appropriation act, he came next to the consideration of the paymasters' act; which, he contended, had also been most positively and unnecessarily broken. If the bank would not receive the exchequer bills, which it was admitted they had a right to reject, why did not government issue money in another way for the purpose for which these bills were issued? They afterwards, it seemed, came to some arrangement with the bank; but supposing that this arrangement had never taken place, to what situation would they have been reduced? Had the bank, or had it not a right to refuse these bills? They certainly had. They did refuse them for some time; the consequence of which was a breach of the act of parliament. And if this arrangement had never taken place, ministers would have been precisely in the situation of doing for a longer time, what they actually did for a short time, and then the inconvenience to the public would have been prodigious.

He then came to the disposition-paper, on which the right honourable gentleman admitted there was much explanation to be made. He was right in admitting that there certainly was much to be explained. He had listened, however, very attentively to what the minister called an explanation of that subject, and he must confess that he did not hear any thing

that appeared to him to excuse or palliate the minister's conduct upon the subject; of what was in itself a breach of a positive law without a just cause for it. It was said, that it had been the constant practice of the House to violate the appropriation act: that a committee had reported its disapprobation of the breach of that act, but that as parliament had never done any thing against the mode of appropriating money to the discharge of the extraordinaries from time to time, they seemed by that silence to admit there was no possibility of preventing the abuse. He would not then question the validity of that reasoning. He owned, however, it appeared to him to be at least doubtful. It seemed to him to be a little hasty, to say that parliament had made no law against this practice with regard to extraordinaries, and that therefore they did not disapprove of the practice. But when parliament had declared, as they had decidedly they had done, that it was contrary to the principles of the constitution, they must be supposed at least to think that the existing laws were sufficient, if properly inforced, to remedy the evil. But, said the right honourable gentleman, parliament, by making no provision to prevent these extraordinaries encroaching on the appropriation act, shewed they connived at it. He would grant the minister the whole force of this argument. If parliament were of this sentiment, the more force there must be in the acts which they had really passed, and which were declaratory of their sentiments on this subject, because those who connived at some abuses, must surely be well convinced of others before they prohibited them. Thus, by relying on what they had not done, the right honourable gentleman had given double weight to what they had done in the way of prohibition. What had they said on the cloathing of the army? When parliament despaired, if the minister pleased, of adopting any general regulation against extraordinaries, they declared certain things must be done, and ordered a strict and literal observance with regard to the cloathing of the army. For this purpose they directed the paymaster to make certain memorials at certain times; that he should draw such and such bills, and that payments should be made on certain stated times. The minister stated upon this point (to shew he could state something on that subject) that this was not a charge on the treasury, nor on him in his official situation. To this he would observe that his honourable friend did not complain of him particularly, but of ministers generally, upon this subject, and therefore there was nothing in the distinction of the chancellor of the exchequer, upon that point.

Here, however, he must complain against the ministers who every day acted contrary to law, and that not a law made at

a time when the subject of it was not well understood. The minister said, that this was an act with which it was impossible to comply; that it required a memorial to be presented when that was impossible. Be it so. That it required the payment of money when it was not in the possession of executive government. Be it so. But it was an act of parliament framed when the right honourable gentleman was himself a member of that House, and active in the passing of the act, (although that was not material). But this was not an old act of parliament, formed when the business of the executive government was not understood, as it is by his majesty's ministers. It was a modern act of parliament to prevent those very abuses which, he contended not to be within the spirit of the appropriation act. When the minister considered the supply of the year, ought he not to take care he had considered the law of the country? Ought he not to observe the positive injunctions of an act of parliament which he himself took a share in framing? Or was this all? What were they to say of an act of parliament that was made so as to be impossible to be obeyed, or its provisions complied with? Did the minister say that the provisions of this act were difficult in times of war? That it was an act of parliament, in which it was impossible to proceed at all times? Did the minister come to the House, and complain of an act of his own making? Did he complain that it was wholly impracticable in time of war? That was the time for which it was principally made. What reason had the minister to complain of this instead of complying with it? In the years 1794 and 1795, he did not comply with it. He seemed to leave the act as a monument of the inefficacy of parliament; a monument of the motives of a man who only aimed at gaining a little popularity; for which he seemed to favour a popular act, but with which, after it was passed, he did not mean to comply, nor did comply when afterwards he came into office.

The character of men in that House had from many events been questioned and suspected from time to time for the last forty years; and he was sorry to say that many things were done, that had a very unfavourable effect on many characters in the course of that time. He would not say, although he felt much, what might be thought upon that subject in consequence of what had happened within the last two years. These things should be recollected by that House. They concerned the members of it nearly. The more especially when certain doctrines which he had lately heard were to be maintained by the minister of executive government. Much had been thrown out (he was not now enquiring whether right or wrong) against the conduct of Sir Robert Walpole, and it

was said in his time that man professed what he did not mean to practise. That charge, he feared, was much more just now that it was then. Men had some time ago so reprobated the conduct of others, that they had gone so far as to say it was impossible to make part of an administration with them. What did they do now? Only say to the people we will bring in acts of parliament to amuse the public in which things that are theoretically right are maintained; but when the authors of them have gained a little popularity, they disobey the provisions of such acts, and make speeches on the impracticability of them.

He knew not what influence there might be in that House; this, however, he knew, that it was impossible for that House to have the confidence of the public, if they did not take care that ministers obeyed acts of parliament, instead of talking of the impracticability of them, when called upon to obey them. The minister, to do him justice, had said that a great deal of explanation was due to this subject. The misfortune was, that he did not give that explanation. By the explanation which he had given, the act of parliament, to which he had at last alluded, would be null and void; because it never could be told when the right honourable gentleman would be able to calculate exactly what would be the expence of the year; and till that time he had assumed a dispensing power with regard to the provisions of the law. He agreed with the minister, that to over calculate the expence of the year would be disadvantageous to the public. He agreed, too, that the very best system was to make the estimate as great and the extraordinaries as little as possible. Upon that point he had often complained before, and he complained then, that the minister had not done his utmost. An evident instance in the case of the barracks presented itself. The minister himself had said, that it would have been more regular to have given to the House of Commons an account of them in the first instance; and yet those ministers who pleaded guilty in the instance of barracks, told the House that in every other instance they had done better than their predecessors.

Having said this, he must observe upon the general outline of the subject before the House, that, in his opinion, a vote of credit was better than extraordinaries; first, because you provide in the former for the interest of the debt you incur; secondly, you do not, by a vote of credit, disobey a positive act of parliament, in complying with such vote. He must again desire to know, whether extraordinaries might not be voted immediately after they were incurred when parliament were sitting? What advantages were there to be expected, in a financial point of view, to say nothing of the principle, if ex-

traordinaries incurred this day were to be voted immediately by the House? How stood the case, when compared with the cloathing of the army, which was required by law? He wished to know why the minister did not provide for them at once, if necessary, by a vote of credit. The right honourable gentleman said, that his votes of credit bore a greater proportion to the expence than in former wars, and yet he would defray expences of this year out of money voted in the last. He would ask, why the vote of credit ought not to be increased, rather than the service of last year should be unpaid? The right honourable gentleman had stated a number of suppositions. He said, he could not know the extent of the estimates of the service altogether, or the time they would each of them occur. Certainly. He said also, he could not estimate when the supplies would come in; the most certain in that respect were, the land and malt; another was the case of the exchequer bills; and most of all, was the period when the loan was to be paid. Granted. But, what occasion had they to suppose when they were talking of facts? One loan came in so early last year, that it was argued that a possible inconvenience might arise from the circumstance; that the loan might come in before they had use for it; and that it would be lying dead upon our hands, while they were paying the interest first. At this very period ministers were proceeding in direct disobedience to the act of parliament, and they were scandalously in arrear to the army. Then, he would say again, the minister had no occasion to have recourse to supposition while he was furnished with facts upon the subject.

With respect to this year, nine million had already been expended in the army. He would leave the House to judge what they were likely to do next year. As to the question, What was the blame of the executive government? He would say there was much indeed, under all the circumstances, in the disobedience of the law, in their proceeding without informing the House of what they were doing and what was the situation of the country. Had he then any difficulty in saying that this was a great misdemeanor on the part of administration, and one that called for the public judgment? Most certainly he had not. It seemed, however, that the right honourable gentleman thought of securing himself by precedent. The right honourable gentleman had heard of the case of the Earl of Macclesfield, who, in many respects, was a worthy character. But how stood the case upon the trial of that nobleman? What was said by the wisest men of that day upon that occasion? that precedent of similar conduct in others ought not to prevent the pronouncing of judgment upon guilt. He would therefore say, that although precedent might be pleaded to

prevent a rigorous judgment, yet it was no justification of the breach of the law. On the paymaster's act, he would say no excuse could be offered, for there was no precedent for its breach. It was an act of parliament recently made after full consideration of the subject; an act which all men were bound to obey, and the minister more than any other, on account of the share he took in framing of it. The minister had, however, wilfully, wittingly, wantonly, and unnecessarily disobeyed it; and he could not help saying, that administration, by such conduct, had made the act a sheet of waste paper. He defied any man to shew what the act was good for, if the minister's defence was just. The minister said it was inapplicable to a time of peace. This should have been stated to the House long ago, if that was really the feeling which the minister had upon the subject. He would again repeat, and he was sorry to be obliged to repeat, that ministers had knowingly, wittingly, wilfully, and, according to their own statement, unnecessarily, set this act aside, and made it a sheet of waste paper. Heartily agreeing with his honourable friend, in all the facts he had stated, Mr. Fox said, he should most cordially vote for the motion before the House.

Mr. Steele having moved the previous question on the first resolution, the House divided:

	Tellers.			*Tellers.*	
YEAS	Mr. Jenkinson Mr. Neville	209	NOES	General Carleton Mr. Randyll Barch	38.

MR. FOX'S MOTION ON THE CONDUCT OF THE WAR WITH FRANCE.

May 10.

IN pursuance of the notice he had given,

Mr. Fox rose and addressed the House to the following effect:—It having fallen to my lot, Sir, both at the commencement and in the course of the present war, to trouble the House with several motions which have not been honoured with their concurrence, and having last session proposed an inquiry into the state of the nation, to which the House did not think proper to assent, it may be thought by some, perhaps, to be rather presumption in me, again to call their attention to the same subject. And I confess that if some events had not occurred during the last year, rather singular in their

nature, I should have, however reluctantly, acquiesced in the former decisions of the House, after having entered my solemn protest against the plans that were adopted, and avowed my strong and complete disapprobation of the whole system of measures that has been pursued. There certainly, however, have happened, during the last year, some events, which must, in no inconsiderable degree, have tended to alter the sentiments of those with whom I had the misfortune to differ, as well as to strengthen and confirm the former opinions of those with whom I have the honour to agree. The event of great importance, and to which I particularly allude, is the negociation at Basle and the notice which has been given of the negociation with foreign powers. As I shall have occasion to comment upon this transaction more fully hereafter, I shall only say at present, that notwithstanding all the applauses that have been bestowed upon it, the result cannot fail to draw the attention of every thinking man to the present posture of public affairs; it must call the attention of every man who is not determined to act blindly (a description of persons, of which I hope there are none in this House,) to the situation of the country, and that line of conduct which the government ought to follow. For one thing that we have learned is, whether ministers have acted wisely or not, (no matter which for our present purpose,) that we have no immediate prospect of peace. It signifies but little, whether the obstacle may have arisen from the unreasonable demands of the enemy, or the mismanagement of his majesty's ministers; but of this we are assured, that we have no prospect of peace, (an event much to be lamented, but more especially in the present circumstances of the country,) and that it is not in the power of those who are entrusted with the administration of public affairs to obtain terms from the enemy, which they dare to offer to the nation. Whatever may be our opinions of the causes which have led to this situation, we must all be agreed as to the effect; and none, I presume, will dispute that our situation is worse than it was at the period when, either by conquest or concession, we had a prospect of approaching peace.

Having stated this point, upon which there can be no difference of opinion, I shall go into a detail of those circumstances which, in my mind, have reduced us to the situation in which we are now placed. I know the language which has been held by the executive government on former occasions of a similar nature, and the language which may be used by the executive government on the present, because it is its interest to use it, is, that it is not our business to inquire into the causes of the evil, but into the best mode of remedy. If these could be separated, I admit that the conclusion would be just, but

as long as man remains the same, I contend that there is no mode of extricating ourselves from danger, but by retracing the circumstances by which we have been involved in the difficulties of which we complain. The first thing then to be done, is, to take an impartial review of past events, which have led to the situation in which we now stand, that the country may be enabled to take steps to extricate itself from the situation into which it has fallen. I shall, therefore, rather look retrospectively than prospectively, and in that retrospect I shall not go farther back than the American war. Most members present will recollect the calamities which befel us in that contest, and also the terms of peace which in the end we were constrained to make; terms which I shall not argue at present, whether it was or was not for the advantage of the country to accept, in the circumstances in which it was then placed. Many will also recollect the discussions which took place in the course of that war, and the constant argument which on all occasions was pressed from the ministerial side of the House, that we ought to look not retrospectively but prospectively; that when the House was on fire, the question was not how the fire was kindled, but how it could be most speedily and effectually extinguished. The argument which we opposed to that was one founded upon solid principles, and one which the House listened to at last; that a consideration of past errors would lead to future amendment, and that a change of measures would lead to a change of circumstances. And I appeal to fact, whether the truth of this argument was not confirmed by experience. As long as we declined going into a retrospective inquiry, the war continued, and our misfortunes increased; but from the moment that the House adopted a resolution to inquire into its past errors, measures were put into a train by which peace was obtained, and the national prosperity restored.

Before we go into particular inquiries, let us first examine whether erroneous maxims of policy have not been adopted, and whether the principles which have been acted upon are not fundamentally wrong. There is an argument, which has been used by an ancient orator, the greatest orator that perhaps the world ever saw, which, in my opinion, is not inapplicable to the present situation of this country. Demosthenes uses this brilliant, and, in my opinion, no less solid than brilliant argument, in the introduction to one of his noblest orations. When he observed the conduct and the fate of the Athenians, and compared their calamities with the mismanagement of their rulers, this mismanagement so far from being a cause of despair, he directly stated as a ground,

of hope. "If," said he, "they had fallen into these misfortunes by the course of natural and irremediable causes, then, indeed, there would be reason for despair; if, on the contrary, they are the fruits of folly and misconduct, it may be possible, by wisdom and prudence, to repair the evil." In the same manner I would argue on the present occasion. Had we not fallen into our present situation, from plans ill formed and worse executed; if every minister had been wise, and every enterprise ably executed, then, indeed, our state would have been truly deplorable. But if our policy has been erroneous and our measures ill conducted, we may still entertain some hope, because our errors may be corrected, and the losses from our misconduct retrieved. I have often had occasion to employ this argument, and I know it has been said in reply, that the argument is good when carried to an extreme, but that the natural imperfection common to every man renders it inconclusive in any other case. But when the misconduct was of such a nature as to be capable of being remedied, when the mismanagement was such as ought to be avoided, it shewed that the argument was true in a degree, as well as true in the extreme. This I state as a motive against despair; and I contend, that upon the face of the thing, when we compare the situation to which we are now reduced, with that which we held four years ago, there is ground for presumption, that the change has been in a great measure owing to errors in the conduct of those who have had the management of public affairs. In a survey of the past, the period to which we are naturally apt to recur, is the period of the commencement of the war. If we could consider in one debate every particular of the external and internal situation of the country, and more especially the effects which the measures that have been adopted have had on its constitution, we might go farther back: but this would involve a detail too extensive for the discussion of a single night, a field too large for the capacity of the speaker.

I shall begin, Sir, with the opening of the budget in 1792, when a most splendid display of the situation of the country was given by the minister, without alluding to any prior or subsequent statement: and I take that day because it was a day on which his statement was more to his own satisfaction, and more to the satisfaction of the House than at any other period. In the year 1792, three years after the French Revolution, the minister came forward with his boasted and triumphant description of the state of the country, of the prosperity of our commerce, of the improvement of our manufactures, of the extent of our revenue, and the prospect of perma-

nent peace.* He then admitted that fifteen years' peace was, perhaps, rather too much to expect, but he said that we had as rational hopes of the continuance of tranquillity as ever had existed in the history of modern times. Then—full two years and a half (I wish to speak within compass) after the first Revolution in France, after the time that the king had been compelled to return to Paris, that the National Assembly had annihilated the titles and destroyed the feudal tenures of the nobility; had confiscated the lands belonging to the church, banished part of the clergy, and compelled those who remained to take an oath contrary, in many instances, to the dictates of their conscience;—then, I say, it was, that this prospect of fifteen years' peace was held out to the country. It was after the King of France had been made, as was said at the time, to stand in a splendid pillory, on the 14th July, that this expectation of lasting tranquillity was raised. So that I have a right to conclude, that in the opinion of the king's ministers, the annihilation of the titles of the nobility, and the degradation of the order, the exile of the clergy, and the confiscation of the lands of the church; that the invasion of the royal prerogative, and the insults offered to the sovereign, described as they then were by their friends, by the terms pillory and imprisonment, (terms which I now repeat, not with any view of courting the favour of those who employed them, but merely to shew the light in which those events were considered at the time,) not only so little interfered with the system of neutrality which they had adopted, but were in so small a degree connected with the interests of the country, as not to damp the prospect of peace, or even to render the duration of tranquillity for fifteen years very uncertain. I so far agree, therefore, with the opinion of ministers, that instead of the country being in danger from the French Revolution, there were no circumstances attending it, which rendered the continuance of peace more uncertain than it was before it happened. It may be said, that at that time France was professing pacific views. I have so often seen these professions made by the most ambitious powers, in the very moment when they were thirsting most for aggrandizement, that I repose little faith in them; so little, indeed, that I cannot believe that the pacific views of ministers were founded upon these professions which were made by the French. But at that very time France was either engaged in actual hostilities with Austria, or on the point of commencing hostili-

* See Vol. iv. p. 312.

ties. War was either begun, or there was a moral certainty that it would take place.

Without stopping to discuss a point, (on which, however, I have no difficulty in my own mind,) whether Austria or France was the aggressor, it was sufficient that ministers knew at the time that an aggression had been made on the part of one of those powers. And notwithstanding the defeats which attended the French arms at the outset, it was the general opinion that the Austrian territory was defenceless, and that it would soon be over-run by the enemy's arms. But even then a fifteen-years' peace was talked of. And I must here state a fact, which though not officially confirmed, rests upon the general belief of Europe, that before hostilities commenced between Austria and France, an insinuation, or rather a communication, was made by England to the latter power, that if they attempted any aggression upon the territories of Holland, which at that time was our ally, we should be obliged to break the neutrality that we had observed, and interfere in the contest. This message has been differently interpreted. Some have put upon it the interpretation, which I think, upon the whole, is the fair one, that it was our policy to take all prudent means of avoiding any part in the war. Others, I know, have put upon it a more invidious construction, and insinuated that our meaning was neither more nor less than this, speaking to the French, "Take you Austria and do with it what you please, but we set up the limits of Holland, beyond which you shall not pass." I state this to shew that at that time ministers did not foresee any probable event which might occasion a rupture between this country and France. That this also was the general opinion of the House in the spring of 1792, I need not spend time in convincing them. I shall, however, barely mention a circumstance of a financial nature, which happened near the close of the session, which proves the fact beyond dispute. I mean the measure of funding the 4 per cents. At that time the 3 per cent. consols had risen to 95, 96, and even to 97, and it was the opinion of the right honourable the chancellor of the exchequer that they would rise to par; in this conviction, and with a view of a probable saving, he had lost the opportunity of a certain saving to the nation of a perpetual annuity of 240,000*l.*; a thing of such magnitude as to prove to the House that at that time the right honourable gentleman had no expectation that the peace was likely to be disturbed, since it induced him to forego the great good which was in his power, in the hope of the trifling addition that might have accrued on the event of the 3 per cents. rising to par. I mention this as a fact subsidiary to the declarations which the minister made at the commencement of

that session, and which proved, that to the end of it he continued to entertain the same confidence of peace.

Thus ended the session of 1792. In the course of the summer of that year various events of various kinds took place. The Revolution in France of the 10th of August chiefly deserves notice. I shall not now comment upon the nature of that Revolution, I shall speak of it merely as a member of the British legislature, and as an event connected with the interests of this country. The great alteration it had produced was the changing the government of France from a monarchy to a republic. I know that these are excellent words, and well adapted, as the history of our country has proved, for enlisting men under opposite standards. But this is not the view in which that Revolution is to be considered, as affecting the policy of this country. Let us in the first place consider its influence upon this country, in the way of example, and the prevalence which it was likely to give to jacobin principles throughout Europe. After this country had seen the order of the nobility destroyed and their titles abolished, when it had seen the system of equality carried to as great a length as it was possible to carry it, except in that one instance of the existence of a king, I ask those who are fondest of the name of monarchy, (I beg not to be understood as speaking in the least disrespectfully of that form of government,) whether there was any thing in the monarchy of France previous to the 10th of August which tended to fortify the English monarchy? Whether there was any thing in the subsequent Revolution which tended to render it less secure than it was immediately before that event happened, when no danger was apprehended? Whether there be a greater or a less prospect of peace between this country and France since the overthrow of the house of Bourbon than there was before? It is not my disposition to triumph over the distresses of a fallen family; but, considering them as kings of France, as trustees for the happiness of a great nation, and remembering at the same time my old English prejudices, and I may farther add, old English history, can I regret that expulsion as an event unfavourable to the happiness of the people of France, or injurious to the tranquillity of Great Britain? No man who thinks that the former wars of this country against France were just and necessary, can refuse to say that they were provoked by the restless ambition of the house of Bourbon. And can it then be said, that the overthrow of that monarchy was either a cause of alarm or a symptom of danger to Great Britain?

Lest, however, I should be thought by some to approve more of the conduct of ministers than I really do, I here find

it necessary to say a few words by way of explanation. I approve of their sentiments in 1792, in as far as they thought that the French Revolution did not afford a sufficient cause for this country involving itself in a war, and I approve of their conduct, in as far as it proceeded upon a determination to adhere to an invariable line of neutrality, provided universal tranquillity could not be preserved. I differ, however, with them upon the means of preserving that neutrality. I think there was a time before the war broke out with Austria, which presented an opportunity for this country to exercise the great and dignified office of a mediator, which would not only have been highly honourable to herself and beneficial to Europe, but an office which she was in some measure called upon to undertake by the events of the preceding year. The event to which I particularly refer was the treaty of Pilnitz, by which Russia and Prussia avowed their intention of interfering in the internal affairs of France, if they should be supported by the other powers of Europe, which certainly was to all intents and purposes an aggression against France. The circumstances of the transaction, still more than the transaction itself, pointed out the propriety of this mediation on the part of Great Britain. This treaty, I really believe, was never intended to be acted upon; but this certainly does not lessen the aggression, much less the insult which it carried to France. The emperor at that time was importuned by the emigrant nobility and clergy to interfere in the domestic affairs of France. Austria did not dare to interfere without the co-operation of Prussia, and Prussia did not wish to hazard the fate of such an enterprize. When those powers were in this state of uncertainty, that was the very moment for England to become a mediator; and if this country had at that time proposed fair terms of accommodation to the parties, the matter might have been compromised, and the peace of Europe preserved, at least for some time; for, God knows, the period of peace is at all times uncertain! If England had then stepped forward as a mediator, the questions to be agitated would have related solely to Lorraine and Alsace. And, is there any man who believes, putting out of the question the internal affairs of France altogether, that under the impartial mediation of this country, all the difficulties respecting the tenures of the nobility, and the right of the chapters in those two provinces, might not have been easily settled to the satisfaction of the disputants? I cannot conceive that ministers, in concerting their schemes, and adopting the measures which they have pursued, could be influenced by any secret principle so depraved and truly impolitic, as to be induced to contemplate with satisfaction the growing seeds of discord, under the idea

that this country would flourish, whilst the other powers of Europe were exhausting themselves in contention and war. Neutrality I admit to have been preferable to an active share in the contest; but to a nation like Great Britain, whose prosperity depends upon her commerce, the general tranquillity of Europe is a far greater blessing (laying the general interests of mankind out of the question) than any partial neutrality which it could preserve. I hope, therefore, that it was upon no such contracted views that ministers declined the office of mediators at the period to which I allude. One would think, however, that after refusing such interference, they would have been the last men in the world to intermeddle with the internal government of another country.

Having proved that the event of the 10th of August made no difference in our relative situation, I trust it is not necessary for me to refer to the horrible scenes that were disclosed in France, in the month of September. I merely mention them that it may not be said that I wished to pass them over in silence, or without expressing those feelings which in common with all mankind I experienced, on hearing of atrocities which have excited the indignation of Europe. However monstrous they have been, they seem, notwithstanding, to have no relation to the present question; they have no small resemblance, at the same time, to the massacres in Paris in former periods; massacres in which Great Britain was much more nearly affected than by the events of the month of September 1792, but in which she nevertheless did not interfere; a conduct, the propriety of which it fell to the province of the historian to discuss; and to historians alone must the massacre of September 1792 be also left; for though individual members might think them a fit topic with which to inflame the rage of mankind, ministers never contended that they were a legitimate cause of war.

We now come to that important event the successful invasion of the Austrian Netherlands, by the French under General Dumourier. How far it would have been wise in this country to have permitted France to remain in possession of this key to Holland, I shall not now argue. But what happened in October was apprehended in April; and if it is once admitted as a principle, that it would have been impossible for this country to have allowed France the quiet possession of this territory, would it not have been wise in this country to have prevented the invasion by a mediation between the two powers? Perhaps it may be said, that they trusted that the great military power of Austria would be able, if not to resist the invasion in the first instance, at least to compel them to retire. If this was the policy with which they acted, it

certainly was a policy more than ordinarily shallow. It would have been, perhaps, in this, as in every instance of a similar nature, more wise to adopt a resolution at the outset, and to act upon it with uniformity, firmness, and consistency. Supposing France to be successful, did you expect to strike in at the end of the war, and speak to France as you did in the case of Russia and the Porte, when you vauntingly said to Russia, You shall not keep Ockzakow as an indemnity for the expences of the war? What was the consequence, however, when you came forward in this arrogant and imperious tone? You were not seconded by the country; you were condemned, as assuming haughty and unwarrantable pretensions, by every impartial man in Europe; and in the end you were obliged to send a minister to Petersburgh to renounce every thing that you had said. Had you pursued the same conduct in respect to France, you would have been reduced to the same dilemma. The more the aggrandizement of France was to be dreaded, the stronger motives we had to exercise the office of a mediator before the war commenced. Shortly afterwards Lord Gower was recalled from Paris; a circumstance which I always lamented, because from that moment the continuance of peace between the countries became more doubtful. And this brings me to the immediate causes of the war.

The immediate causes of the war have generally been reduced to three: first, the way in which certain individuals belonging to the Corresponding Society in this country were received by the government of France; secondly, the decree of the 19th of November; and, thirdly, the claims which were set up against the monopoly held by the Dutch of the navigation of the Scheldt. The first appears to me to be so insignificant as not to be worthy of a serious answer. In the first place, in order to give it shape, in order to make it fit for being put down upon paper, you must begin with assuming that there was a government in France to whom you might complain, and from whom you might demand redress. But, was there ever any complaint made, or any dissatisfaction stated? Respecting the decree of the 19th of November, did you ever complain of it? did you ever demand that it should be either revoked or explained? This is a circumstance so intimately connected with the existence of a government in France, that I know not how to separate them. You refused to recognize the government of France, and from that very moment all the means of conciliation and explanation were at an end. Things were then brought to the *ultima ratio regum;* for the moment that you cut off all means of explanation, you virtually made a declaration of war. But though you

arrogantly and unwisely refused to recognize the government of France, you allowed M. Chauvelin to remain here, and from the papers which passed between him and the king's ministers at the time, the French seem to have shewn a strong disposition to explain that decree. Why then, it will be asked, did they not explain it? Because they did not know what explanation would be satisfactory. But it is admitted by all the writers on the law of nations that I have read, that an insult, or even an aggression, is not sufficient cause of war, till explanation or redress is demanded and refused, and that the party who refuses an opportunity of explanation to the other is the aggressor. This opportunity, however, was denied to the French; and upon these principles England was the aggressor. With respect to the opening of the Scheldt, is there any man who does not believe, if a negotiation had been then attempted, that matters might not have been arranged to the mutual satisfaction of the parties? This was even admitted by the House. For what was the favourite argument at the time? "England is the last power in Europe upon whom the French will make war; but after devouring the rest of Europe, they will swallow you up at last." Upon this part of the argument I am a good deal relieved by subsequent events. And here I am sorry to allude to the opinions of a gentleman (Mr. Burke) who is no longer a member of this House, but, from the part he took in the politics of the country at the time, and the effect which his eloquence produced, I find it impossible to speak of the history of the times, without saying something on the doctrines and sentiments of that able and respectable man. In a most masterly performance, he has charmed all the world with the brilliancy of his genius, fascinated the country with the powers of his eloquence, and, in as far as that cause went to produce this effect, plunged the country into all the calamities consequent upon war. I admire the genius of the man, and I admit the integrity and usefulness of his long public life; I cannot, however, but lament that his talents, when, in my opinion, they were directed most beneficially to the interest of his country, produced very little effect, and that when he espoused sentiments different from those which I hold to be wise and expedient, then his exertions should have been crowned with a success that I deplore. Never, certainly, was there a nation more dazzled than the people of this country were by the brilliancy of this performance of Mr. Burke! Much of the lustre of his opponents, as well as of friends, was drawn from the imitation of this dazzling orb; but it was the brilliancy of a fatal constellation, which bore terror and desolation in its train; and we are to this day suffering its bane-

ful effects. This able man had no bounds in his opposition to my proposition for recognizing the government of France. It was represented as a proposition to petition France for peace, by throwing ourselves at her feet, to surrender our beloved sovereign's head to the block: in fine, entirely to give up the constitution. And why? Because it was to treat with regicides, though the unfortunate event (for such I shall always call it) of the death of the King of France had not as yet taken place. When the question comes to be re-considered, I am confident that the country will not be of this opinion. At present I have even ministers themselves as accessaries to the fact, after it has actually happened. By this petition or message to the directory have they not acknowledged the power of those very men who pride themselves upon the part they took in promoting that unfortunate event, and who now celebrate it by an anniversary festival? For what purpose do I mention this, but to shew that I did not wish to surrender the constitution, which has been handed down to us from our ancestors, cemented with their blood, and that it was no part of my design to bring the head of our beloved sovereign to the block?

But to return to the opening of the Scheldt. I am not one one of those who conceive the navigation of the Scheldt to be of no importance to Holland; in its present circumstances, I think it was of very little importance. It may be asked, however, are you to judge what is and what is not for the interest of Holland? Are not the Dutch much better judges of what is for their interest than you are? Far, far better certainly, is my answer. But did the Dutch themselves at the time think it an object worth disputing about, or rather did not we drag them reluctantly into the contest? A variety of other arguments were used at the time. I do not wish to recal the language of any particular gentleman to the recollection of the House; but the argument being adduced against a proposition which I had the honour to make, I have more particular reason to remember it. I was told, that we ought not to recognize the French republic, for fear of disgusting our allies. Let us inquire, then, who were our allies at the time? The States General were among the number. Then it was said, that even those who were disaffected to the interest of the Stadtholder, were so aristocratic in their sentiments, that they would spurn with indignation at French principles, and that an invasion would heal all the internal divisions which subsisted in that republic. Notwithstanding these assertions, however, I have heard, and I know it is commonly believed, that Holland was not conquered by the arms of France, but by the disaffection of the Dutch to the cause in which they

were engaged. Our other allies were Austria and Prussia. Whether the King of Prussia has acted to this country with fidelity and honour, or with falsehood and perfidy; whether he has performed his engagements, or whether he has violated the faith of the treaty, we have never been informed by ministers; but this I will ask, whether after granting him an enormous subsidy, a subsidy which must be regarded as most extravagant, when compared with the amount of the services which he has performed; whether, if you had thought proper to recognize the French republic before you entered into the war, he would have deserted you one day sooner, or swallowed up more of the treasure of the country than he has done? With respect to Austria, is there any man who seriously believes that, though we had recognized the French republic, we might not have availed ourselves as much as we can do at this moment, of the service of that power? Even if Austria had been disgusted, all that she could have done would have been to make a separate peace, which would have probably been the means of restoring general tranquillity, because that must have happened before we engaged in the war. But if this danger would have attended the recognition of the French republic before, may not the effect be produced by the late negociation at Basle, in which Austria was not a party? It was argued, that a recognition implied an approbation of every thing that had passed. But this I denied when the objection was taken, and still persist in denying. On the question of—who was the aggressor? I contend, that by the law of nations, as it is explained by the best writers upon the subject, we were the aggressors, because we refused to give to France an opportunity of redressing those grievances of which we complained.

I now come to the period at which we began to take an active part in the contest. When our armies first appeared in the field, the enemy were forced to retire from the territories which they had occupied; they were completely driven out of the Netherlands, and we were in possession of almost all French Flanders. At this period, it was reported that a person of the name of Maret made proposals for peace, on the part of the French, which were not listened to by his majesty's ministers. Why, then, I ask, did you not make peace at this prosperous juncture? when the enemy were defeated in every battle, when they were driven from the frontiers of our allies which they had occupied; when we had made a considerable impression upon French Flanders; when, excepting Savoy, they had not one foot of land belonging to our allies, and when they might have been disposed to purchase terms of peace by a considerable sacrifice of territory? Why did we

not make peace in these circumstances? Why, because the system on which ministers had set out was deserted; because you no longer confined your views to the security of your allies, but, infatuated with success, you began to seek for indemnity. The declining to negociate at this period, I set down as a principal cause of all our succeeding calamities.

I cannot help remarking, that there has been a good deal of inconsistency in the mode of arguing adopted by those who have been adverse to negociation. When the French were successful, I was asked — What! would you humble the country so far as to beg peace from the enemy, in the moment of her victories? And when the allies were successful in their turn, I was told, that we must not treat at a time when our armies were every where triumphant, and when nothing but disgrace and defeat marked the progress of the enemy; that then was the period to avail ourselves of our good fortune, and reap the fruits of our victories. It was even at one time thought advisable to push our victories so far as to march to Paris. Upon the project of effecting a counter-revolution in France, having said so much on former occasions, I shall not enlarge now. The great defect in the management of the war, however, has, in my opinion, been the want of a determinate object for which you have been contending. You have neither carried on war for the purpose of restoring monarchy in France, nor with a view to your own advantage. While the emperor in Alsace was taking towns in the name of the King of Hungary, you were taking Valenciennes for the emperor — proclaiming the constitution of 1791 at Toulon — and taking possession of Martinique for the King of Great Britain. What has been the consequence of this want of object? You have converted France into an armed nation — you have given to her rulers the means of marshalling all the strength of the kingdom against you. The royalists in France, also, so little understood your intentions, that they did not join you; and the reason is obvious — they did not know whether you were at war for the purpose of re-establishing the ancient monarchy of France, or for the purpose of aggrandizing yourselves by robbing France of her territories. It might then have been imagined that we would have endeavoured to conciliate the body of constitutionalists. No such thing. We had acted so as to give the impression that we were desirous to shew our enmity towards that body of men. The unfortunate De la Fayette, who deserved the praise of being a man of the most uncorrupted nature, who had the merit of steering between the two extremes of the parties that agitated this country; this firm, brave, and steady friend of his sovereign, — this gallant and distinguished gentleman,

equally the friend of his king and his country, emigrated after the 10th of August. Upon neutral ground he was seized by certain robbers in the service of the King of Prussia; he was kept by that monarch for years in prisons and dungeons. — It might have been thought, if you had been desirous to conciliate this body of men, whose constitution you announced at Toulon, that you would at least have made a point of procuring the enlargement of this estimable character. It might have been thought, that in return for an enormous subsidy, the King of Prussia could not hesitate at the enlargement of one prisoner. But when a motion on the subject was made by my right honourable friend (General Fitzpatrick) it was said that it was impossible for this government to interfere. He is delivered from the King of Prussia, on his recognition of the French, to the emperor, because, he said, he belonged to the allies generally, and by him he is kept in the same scandalous and inhuman bondage. From this dreadful captivity he endeavours to escape — a circumstance not very surprizing — he is taken and sent back to his prison, to experience more rigorous treatment. At length Madame de la Fayette, after enduring a series of most dreadful sufferings under the brutal Robespierre, from which she escaped by miracle, flew, on the wings of duty and affection, to Vienna, to solicit the emperor for permission to give to her husband the consolation of her attentions in his prison. The emperor granted her request. But on her arrival at Olmutz, the officer who had the care of M. de la Fayette, told her with openness and candour, that if she resolved to go down to the dungeon to her husband, she must submit to share in all the horrors of his captivity. [A burst of indignation and sorrow broke from every part of the House.] This, however, had no terrors for her affectionate heart; she plunged into his dungeon, and there they remain together, the living, and yet buried, victims of this inhuman power. Nay, this is not all; she applied for leave to have a female attendant, instead of a male, about her person; this, she said, even the implacable Robespierre had not denied her; but even this request was brutally refused! As if it were not enough that our ministers had not interfered for the deliverence of this gentleman, and for fear that it should be misunderstood that they did not participate in the measure, M. Alexander Lameth, one of the persons who retired from France along with De la Fayette, had, after a most cruel confinement, come to this country to take the benefit of the Bath waters. He had also been confined in the prisons of Prussia; but his health having fallen a sacrifice, the king yielded to the solicitation of his mother, and had permitted

him to have a certain period of relaxation, and, having afterwards made his separate peace with France, was easily persuaded to give him liberty. This gentleman, then, who had so greatly distinguished himself as the friend of his king and country, who had only been desirous to establish a limited monarchy, and who had fallen a sacrifice in his native land to his endeavours to prevent the violence and injustice which have unhappily been committed, sought to re-establish his health in this country. He had not been here a single fortnight, the greatest part of which he spent in his bed, before he was ordered to quit the kingdom; and to every representation of the alarming state of his health, and the impropriety of his being put on board any other than a neutral vessel, very little attention was paid, and he was hurried away, at the hazard of his being carried into Calais, and conducted to the guillotine. What could be more injurious to the country than such conduct? Any person, who had seen M. Lameth with his broken and decayed constitution, would not have conceived that he was in a state to be dangerous to the government. Good God! (exclaimed Mr. Fox) M. Lameth an object of terror to the British government! An object of terror no otherwise than of moral terror, which his sufferings might excite, as exhibiting a dreadful example of the justice of what are termed "regular governments," of the implacable temper of political animosity, and of that severe vengeance, which jealousy and offended power exercise on their unresisting victims! And thus this gentleman, who had justly rendered himself dear to all who love rational liberty, and to whom the emigrant nobility of France owed such obligations, was driven from England.

Thus it appears, that it is not to loyalists of every description that favour is to be shewn; it is not to those who take up arms in favour of the limited monarchy, which it was the pretended object of the allies, and of this country in particular, to establish, but to those only whose endeavours aim at the restoration of the ancient tyranny, who are the friends of the old feudal system. They, it seems, are the only royalists whose loyalty is entitled to support. With respect to the treatment of General Dumourier, though I do not mean to place him exactly in the same point of view as the two gentlemen I have just mentioned, yet the behaviour of the allies towards him has not been less impolitic; for, certainly, to afford an asylum and offer our protection, to those men who, disgusted with the party whom they served, withdrew their assistance, was the only effectual way to encourage others to follow their example. It is said, that the legitimate object of Great Britain in this war was, to obtain from France a

just and honourable peace, and that this was also the object of the allies. Why, then, was not that object attempted, when the confederacy existed in its full power? Why were two of the powers, Prussia and Spain, suffered to melt away, and their aid to be withdrawn from the general cause, without making any overtures for such a peace? You may say, it was not your fault, that you could not foresee their secession; let me, however, observe, that when statesmen take upon themselves to form alliances with other powers, they should know something of the characters of the princes with whom they make such alliances, and how far it is probable they will keep to the letter of their engagements. As to the King of Prussia, there was every reason to suppose, long before the event took place, that he would make peace with France; that it was his interest so to do: and with respect to Spain, it was apparent to the most short-sighted statesman, that her ministers could not protract the conclusion of a peace with the victorious republic, without endangering the existence of the Spanish monarchy itself. It was, therefore, an incumbent duty on ministers to have foreseen the probable consequences of their alliances: if they had possessed any of that necessary foresight, they would, during the last session of parliament, have used their endeavours to have procured a peace, while the confederacy was acting in concert, and not have waited till it was dissolved.

It is alleged, that the form of government in France was not such as to enable ministers to treat for peace upon any sure foundation. I, however, am one of those who think that the government, so far as respected external relations, was of no consequence to the contracting parties. If an absolute government is, as it is thought to be, the best to enter into engagements with, surely no one will deny but France was an absolute government during the tyranny of Robespierre, as well as during the reign of the prior and succeeding factions. The acts of those factions were never afterwards revised, with respect to external relations. But, you say, you must wait till there is a regular constitution established. Is that the most proper time to retrieve your losses by negociation, when they have settled themselves in a permanent government, ascertained the limits and boundaries of their conquests, made the whole subject to their general laws, and communicated to what was your territory every inherent quality of their own departments? We were told, several years ago, that the French were reduced to such extremity, that they could not possibly find resources to enable them to continue the contest much longer; and only last session it was asserted, with the utmost degree of confidence, that they

were not upon the verge, but in the actual gulf of bankruptcy, —that they were in the last agony. A twelvemonth has now elapsed since they have been in that agony; and really it is the first time I ever heard of any set of people continuing so long in such a situation. I certainly must admit, that last year, while France was labouring under this agony, the emperor, with the assistance of this country, was enabled to regain part of his dominions which had been wrested from him, and this was looked upon as an accomplishment of the prediction, that the French were reduced to the last extremity, and that they were not in a capacity ever to recover themselves. It might naturally have been expected, that death would have been the consequence of this agony; but was that the case? Far from it. The events of the last three weeks have been of a nature sufficient to prove that their agonizing struggles may in the end destroy their enemies, and draw them into that gulf of ruin, in which they had flattered themselves the French would have been irrevocably buried.

The state of the French finances has been another argument to prove their inability to continue the war. God forbid, that the finances of this country should ever be so involved! But the French have now got over the worst consequences resulting from the state of their finances. France has been placed in that situation, wherein it has been necessary to call forth all the property of the country, in order to maintain the quarrel. Without recurring to the mode of argument which was made use of yesterday, with respect to the new mode of taxing capital, I hope, if ever we should be in the situation of the French, that we shall not hesitate to expend the whole capital of the country, rather than have a constitution imposed upon us by a foreign enemy. I had rather that all should be taken away by the calamities of the present war; I had rather that we should be forced to submit to one, two, three, or four requisitions of all the adults in the kingdom; all this I would rather submit to, than that the country should experience the misery of absolute servitude. You have reduced France to the situation of absolute bankruptcy; but that bankruptcy is past, and now they have the whole resources of the country to bring forth against you. It is now twelve months since we conceived them in such a state of bankruptcy, as to be incapable of resistance. It was the boast of Austria, that she had recovered her losses; but we see the campaign open this year with such gigantic efforts on the part of the French, as to leave no room to hope that we can ever be able to resist them.

At the commencement of the present session, his majesty,

in his speech from the throne, intimated a disposition to negociate, and had more fully manifested that disposition in his message of the 8th of December. Why did not ministers make the attempt at that time, which was peculiarly favourable for such a measure, as the campaign could not well be opened for some months? Instead of this, we find that the first step taken was on the 8th of March, three months after the communication of the earnest desire for peace contained in the king's message; and four months after the same sentiments had been avowed in his speech from the throne. This delay has not been occasioned by a wish to consult with our allies, and obtain their concurrence, for it does not appear that they either sanctioned or disapproved it. An allusion was made to them in Mr. Wickham's letter; but in order to justify the delay, the application should have been made in the name of them all, and some specific terms should have been offered. This was not the case. Mr. Wickham's letter was such as might have been agreed upon in a quarter of an hour, instead of three months. But this letter, after all, expressed nothing more than was contained in the king's speech, and cannot be produced as a new proof of the desire of ministers for peace.

It has been said in this House, and his majesty's ministers have particularly supported the opinion, that the contagion of French principles is highly dangerous to this country. Those principles and their supporters in France, have been treated in this House with every mark of insult and contempt, with every expression of disgrace and detestation. The first thing ministers should have done, was to remove the unfavourable impression, the hostile disposition which their language and conduct must have created; and the first step towards accomplishing this, was a full and unequivocal recognition of the French republic. Towards the conclusion of the American war, some gentlemen in this House thought an acknowledgment of the independence of America should be made the price of peace. I always thought otherwise, and that it ought to be made freely and gratuitously. But whether I was right or not, the present is a question materially different. We have no claim on France, like that which we had on America, and therefore the less would have been the sacrifice in recognizing the republic. But so far from doing this, Mr. Wickham's note does not even hint at the terms that would be acceptable. This reserve may in some cases be prudent and wise. In the present case I see neither prudence nor wisdom. Instead of either recognition or offers, you tell the directory, that your minister is not empowered even to negociate. To argue this point fairly, I must put myself in the situation of the enemy, and here I must ask, what could

think of such a communication from ministers, who for several years have traduced the principles and governments in France, and reviled all the ruling men in that country; from ministers who delayed that communication for three months? I could not believe the sincerity of their offers.

It is not regular to mention what has passed in former debates; but, if I may be permitted to allude to the arguments advanced a few evenings ago, upon the subject of the King of Sardinia's subsidy, we shall find a full illustration of the minister's motives, in making the pretended offers of peace through Mr. Wickham. On that occasion, it was said, that it was by no means certain, that the overtures of his Sardinian majesty were made with the view of obtaining peace. It was most probable, that they were made in consequence of the pressure of circumstances, and that all his object was to know, what were the conditions on which the French would consent to a pacification; for he had no real intention of putting an end to the war. I cannot conceive more happy expressions to explain the views of his majesty's ministers, in making overtures through Mr. Wickham. They were no doubt actuated by the same motives that guided his Sardinian majesty, and the French might well suppose that their pretended offers were produced by the pressure of circumstances, and made with the view rather of protracting than concluding the war. The pretence set up by the French, that they could not give up any territories which had been consolidated with the republic, is, indeed, a matter of regret, but it is a circumstance that doubles my indignation against those ministers who have brought us into this lamentable situation, who have deferred any proposition for peace till a period when the difficulties are such, that there is no prospect of obtaining it on safe and honourable terms. I see great triumph on the other side of the House, and I do not wonder at it. Their object was to delay overtures of peace till they could not be accepted, and they have succeeded. This may be a manœuvre in war, but it is not an act of which a minister, sincerely desirous of peace, ought to boast. That it was such a manœuvre, I am convinced, by the eagerness and exultation with which the correspondence has been published. Is there no better means of making the government of France believe the sincerity of your wishes for peace? Why is it not considered how other treaties have been made? Why not make your disposition for peace known by various other channels than an open negociation? And above all, why not recognize the republic, and renounce any design against it on account of the principles on which it was founded? When that great man, the late Lord Chatham, was consulted respecting the best mode

of terminating the unfortunate dispute with America, did he send to know what were the terms demanded by the Americans? No: his opinion was, that nothing would effect a complete conciliation, but a complete change in his majesty's councils.—[A laugh on the treasury bench.]—Gentlemen may laugh, but I do not understand how the calamities of the people, brought on by the present councils of his majesty, can be a subject of merriment. To remove those calamities, a total change, not only in the councils of his majesty, but in his counsellors, is absolutely necessary; for to suppose, after their recent conduct, that they will abandon those principles of action which have brought on us so many misfortunes, is absurd. They have not in any way manifested such a change. The administration which conducted the American war, was found unfit to settle the peace; and yet Lord North, of whom as a private man I never can speak but with respect and esteem, had a most conciliating disposition, and never was considered to be personally anxious to establish our dominion over America, neither had he spoken with so much acrimony of our enemies as has lately been the case. He might have treated with more advantage than our present ministers, and yet it was found necessary that he should resign.

The change of feeling towards the French must have been very sudden in the right honourable gentleman; for at the time he was making pacific professions, he was sending an expedition to the coast of France, which if it had succeeded, would have compelled him to declare Louis XVIII. king. Had the island of Noirmoutier been taken in the name of Louis XVIII. in whose name it was summoned by a British officer, how could ministers have recognized the republic? It appears, then, that their conversion is very sudden, and sudden conversions are most suspicious. It is but too manifest, that they never were sincerely desirous of negociating a peace with the French republic. They might, indeed, draw up a paper with the ingenuity of special pleaders, that might serve as a declaration in a court of law, but which from its ambiguous mode of expression, could not satisfy a more liberal judgment of the sincerity of their wishes for peace. I do not wish to visit the sins of the father upon the son; I do not wish that the descendants of the house of Bourbon should be treated in the manner in which they treated the unfortunate house of Stuart; but if your pacific offers were sincere, you should have disowned Louis XVIII. as King of France. You should have recalled Lord Macartney, who was sent as ambassador to him, and avowed that you made war on France as a republic, and consequently that you recognized it as such. It would have been a becoming act of justice in you

to have declared this to Louis XVIII.; and it would have been an act of prudence to yourselves, with a view of convincing the directory of the sincerity of the change in your sentiments; it would have freed the unfortunate emigrants from all farther suspence respecting their fate, and would have convinced the French government of your actual solicitude for peace.

And here I must beg pardon of the House, for entering into a short digression on the double dealing that has been used towards the unfortunate emigrants from France, and observe, that it a most consoling circumstance to me, that not one of them owes the smallest atom of his misfortunes to any thing I ever did or said. It was natural that those unhappy men, when they heard that the estates of Englishmen were insecure, unless the estates of the emigrants were restored; when they heard that we could not make peace with the republicans, without laying the head of our sovereign on the block; when they heard that Great Britain was fighting for her very existence; it was natural for them to say, we may safely risk ourselves in the same bark that carries Cæsar; we may venture our fortunes along with that of the British empire. With these opinions, which they imbibed from speeches delivered in this House, the royalists had been drawn from all parts of France, fully persuaded that they would be cordially received here. But how have they been duped with ambiguous declarations, made purposely to deceive them into an idea that they were to fight for the restoration of the French monarchy, and of their own property; when, in fact, they were only set on to fight for the fluctuating views of ministers, who never regarded their personal welfare, or the cause they wished to support, as an object of real importance! In this manner many of the emigrants have been seduced to their ruin, and it would be but an act of justice to tell them we are not now fighting for the restoration of the French monarchy, we are not now fighting for the restoration of your property — our only object now is, to regain the territories we have lost — we are fighting only about the conditions of peace. The question now is, whether ministers have really changed their sentiments respecting the origin and objects of the war. If they have, they should prove it by some unequivocal act or declaration. If they have not, as I suspect is the case, then this House should entreat his majesty to change his councils. I know it will be said, "What! you have been speaking three hours, and all for the purpose of procuring a change of ministers, because such a change might be advantageous to yourself." To this I can only answer, that I never will take a part in the government, till the principles upon which the present war has

been made, till the principles upon which our domestic politics have been conducted during its continuance, have been completely renounced and abandoned; for it is to them that we must trace the source of all the evils with which we are now afflicted. No minister who commenced and carried on a war, ever made an advantageous peace; but if the present ministers expect to prove an exception to this rule, they should shew that they are seriously convinced of their past errors; they should renounce the principles on which they have acted, before they can hope to put an end, with safety and honour, to a war which they have conducted with so much rancour and with so little success. It has been said, let us persevere a little longer, and we shall ultimately succeed; mandâts are as much depreciated now, as assignats were formerly; France cannot, therefore, continue the contest long. In answer to this I will only say, look at the effects of the war upon ourselves, and consider well how long we shall be enabled to carry it on. Between fifty and sixty thousand men have already been sent to the West Indies; the mortality has been great among them, and the advantages comparatively trifling, for if we have taken Martinique — St. Vincent's and Grenada are laid waste. The Dutch possessions, it is supposed, will form our chief indemnity at the peace. I will say little as to the fairness of taking these from a nation, to preserve the territory of which we professedly went to war. I am told, ministers do not now wish the Stadtholder to be restored; but I will only remark, that our extensive colonies in different quarters are already a great incumbrance to us in time of war; they exhaust our strength, and if our maritime force shall ever be equally opposed by a hostile power, their possession will be very precarious.

We have, Sir, completely failed in all the objects for which the war was commenced. Holland is lost, the King of France exiled, and the aggrandizement and power of the French republic is more alarming than ever. Of our allies, the King of Prussia, who was the first to treat with the French, has sustained the least injury; the King of Spain has been forced to make peace, in order to save his dominions; and the King of Sardinia is now in the same predicament, compelled, for his own safety, to accept such terms as the directory may chuse to grant. The fate of this monarch, whose good faith was so loudly extolled in a late debate, who was termed the very pattern of fidelity, most forcibly and unequivocally demonstrates, that in proportion as every ally of this country, in the present contest, has been a pattern of fidelity, he has also been an example of misfortune. The Empress of Russia has indeed suffered nothing. It is impossible not to see, that her only object in the alliance was to plunder Poland, in which she

has been collaterally supported by England. This is a mortal blow to another professed object of the war, the balance of power. Will any man believe that the avowed object of the partition, the destruction of jacobinism in Poland, was the real cause of dividing that unfortunate country? And will any man contend that England and France united, might not have prevented that transaction, and by that means preserved the balance of power in Europe? But Poland was abandoned to its fate, suffered to be sacrificed, annihilated, destroyed, for the sake of those absurd and vicious principles, which govern the policy of ministers, and which have involved us in the present war. These principles must now be deserted. If the country is to be saved, we must retrace our steps; that is the only course which presents any hope of an effectual cure for the evil. All other remedies are mere palliatives, which must rather prove mischievous than useful. What I recommend therefore is a complete change of system. Mr. Fox concluded a speech which lasted nearly four hours by moving,

"That an humble address be presented to his majesty, most humbly to offer to his royal consideration, that judgment which his faithful Commons have formed, and now deem it their duty to declare, concerning the conduct of his ministers in the commencement, and during the progress, of the present unfortunate war. As long as it was possible for us to doubt from what source the national distresses had arisen, we have, in times of difficulty and peril, thought ourselves bound to strengthen his majesty's government, for the protection of his subjects, by our confidence and support: but our duties, as his majesty's counsellors, and as the representatives of his people, will no longer permit us to dissemble our deliberate and determined opinion, that the distress, difficulty, and peril, to which this country is now subjected, have arisen from the misconduct of the king's ministers; and are likely to subsist, and to increase, as long as the same principles, which have hitherto guided these ministers, shall continue to prevail in the counsels of Great Britain.

"It is painful to us to remind his majesty of the situation of his dominions at the beginning of this war, and of the high degree of prosperity to which the skill and industry of his subjects had, under the safeguard of a free constitution, raised the British empire, since it can only fill his mind with the melancholy recollection of prosperity abused, and of opportunities of securing permanent advantages wantonly rejected. Nor shall we presume to wound his majesty's benevolence by dwelling on the fortunate consequences which might have arisen from the mediation of Great Britain between the powers then at war, which might have ensured the permanence of our prosperity, while it preserved all Europe from the calamities which it has since endured; a mediation which this kingdom was so well fitted to carry on with vigour and dignity by its power, its character, and the nature of its go-

vernment, happily removed at an equal distance from the contending extremes of licentiousness and tyranny.

"From this neutral and impartial system of policy, his majesty's ministers were induced to depart, by certain measures of the French government, of which they complained as injurious and hostile to this country. With what justice these complaints were made, we are not now called upon to determine, since it cannot be pretended that the measures of France were of such a nature as to preclude the possibility of adjustment by negociation; and it is impossible to deny, that the power which shuts up the channel of accommodation must ever be the real aggressor in war. To reject negociation is to determine on hostilities; and whatever may have been the nature of the points in question between us and France, we cannot but pronounce the refusal of such an authorised communication with that country, as might have amicably terminated the dispute, to be the true and immediate cause of the rupture which followed. Nor can we forbear to remark, that the pretences, under which his majesty's ministers then haughtily refused such authorized communication, have been sufficiently exposed, by their own conduct, in since submitting to a similar intercourse with the same government.

"The misguided policy, which thus rendered the war inevitable, appears to have actuated the ministers in their determination to continue it at all hazards. At the same time we cannot but observe, that the obstinacy with which they have adhered to their desperate system is not more remarkable than their versatility in the pretexts upon which they have justified it. At one period the strength, at another the weakness, of the enemy, have been urged as motives for continuing the war: the successes as well as defeats of the allies have contributed only to prolong the contest; and hope and despair have equally served to involve us still deeper in the horrors of war, and to entail upon us an endless train of calamities.

"After the original, professed, objects had been obtained, by the expulsion of the French armies from the territories of Holland and the Austrian Netherlands, we find his majesty's ministers influenced either by arrogance or by infatuated ambition and vain hope of conquests, which, if realized, could never compensate to the nation for the blood and treasure by which they must be obtained: rejecting, unheard, the overtures made by the executive council of France, at a period when the circumstances were so eminently favourable to his majesty and his allies, that there is every reason to suppose that a negociation, commenced at such a juncture, must have terminated in an honourable and advantageous peace. To the prospects arising from such an opportunity they preferred a blind and obstinate perseverance in a war, which could scarce have any remaining object but the unjustifiable purpose of imposing upon France a government disapproved of by the inhabitants of that country. And such was the infatuation of these ministers, that, far from being able to frame a wise and comprehensive system of policy, they even rejected the few advantages that belonged to their own unfortunate scheme. The general exist-

ence of a design to interpose in the internal government of France was too manifest not to rouse into active hostility the national zeal of that people; but their particular projects were too equivocal to attract the confidence, or procure the co-operation, of those Frenchmen who were disaffected to the then government of their country. The nature of these plans was too clear not to provoke formidable enemies, but their extent was too ambiguous to conciliate useful friends.

"We beg leave farther to represent to your majesty, that at subsequent periods, your ministers have suffered the most favourable opportunities to escape of obtaining an honourable and advantageous pacification: they did not avail themselves, as it was their duty to have done, of the unbroken strength of the great confederacy which had been formed against France, for the purpose of giving effect to overtures for negociation: they saw the secession of several powerful states from that confederacy; they suffered it to dissolve without an effort for the attainment of a general pacification: they loaded their country with the odium of having engaged with the most questionable views, without availing themselves of that combination for procuring favourable conditions of peace. That, from this fatal neglect, the progress of hostilities has only served to establish the evils which might certainly have been avoided by negociation, but which are now confirmed by the events of the war. We have felt that the unjustifiable and impracticable attempts to establish royalty in France, by force, has only proved fatal to its unfortunate supporters. We have seen, with regret, the subjugation of Holland and the aggrandisement of the French republic; and we have to lament the alteration in the state of Europe, not only from the successes of the French, but from the formidable acquisition of some of the allied powers on the side of Poland; acquisitions alarming from their magnitude, but still more so from the manner in which they have been made: so fatally has this war operated to destroy, in every part of Europe, that balance of power for the support of which it was undertaken, and to extend those evils which it was its professed object to avert.

"Most cordially, therefore, did we assure his majesty, this his faithful Commons heard with the sincerest satisfaction, his majesty's most gracious message of the 8th of December, wherein his majesty acquaints them that the crisis, which was depending at the commencement of the present session, had led to such an order of things as would induce his majesty to meet any disposition to negociation, on the part of the enemy, with an earnest desire to give it the fullest and speediest effect, and to conclude a general treaty of peace whenever it could be effected on just and suitable terms for himself and his allies. That from this gracious communication, they were led to hope for a speedy termination to this most disastrous contest; but that, with surprize and sorrow, they have now reason to apprehend that three months were suffered to elapse before any steps were taken towards a negociation, or any overtures made by his majesty's servants.

"With equal surprize and concern they have observed, when a fair and open conduct was so peculiarly incumbent on his ma-

jesty's ministers, considering the prejudices and suspicions which their previous conduct must have excited in the minds of the French, that, instead of acting in that open and manly manner which became the wisdom, the character, and dignity, of the British nation, they adopted a mode of proceeding calulated rather to excite suspicion than to inspire confidence in the enemy. Every expression which might be construed into an acknowledgment of the French republic, or even an allusion to its forms, was studiously avoided; and the minister, through whom this overture was made, was, in a most unprecedented manner, instructed to declare, that he had no authority to enter into any negociation or discussion relative to the objects of the proposed treaty.

"That it is with pain we reflect, that the alacrity of his majesty's ministers in apparently breaking off this negociation, as well as the strange and unusual manner in which it was announced to the ministers of the various powers of Europe, affords a very unfavourable comment on their reluctance in entering upon it, and is calculated to make the most injurious impression respecting their sincerity, on the people of France.

"On a review of so many instances of gross and flagrant misconduct, proceeding from the same pernicious principles, and directed with incorrigible obstinacy to the same mischievous ends, we deem ourselves bound in duty to his majesty, and to our constituents, to declare, that we see no rational hope of redeeming the affairs of the kingdom, but by the adoption of a system radically and fundamentally different from that which has produced our present calamities.

"Until his majesty's ministers shall, from a real conviction of past errors, appear inclined to regulate their conduct upon such a system, we can neither give any credit to the sincerity of their professions of a wish for peace, nor repose any confidence in their capacity for conducting a negociation to a prosperous issue. Odious as they are to an enemy, who must still believe them secretly to cherish those unprincipled and chimerical projects, which they have been compelled in public to disavow, contemptible in the eyes of all Europe, from the display of insincerity and incapacity which has marked their conduct, our only hopes rest on his majesty's royal wisdom and unquestioned affection for his people, that he will be graciously pleased to adopt maxims of policy more suited to the circumstances of the times than those by which his ministers appear to have been governed, and to direct his servants to take measures, which, by differing essentially, as well in their tendency as in the principle upon which they are founded, from those which have hitherto marked their conduct, may give this country some reasonable hope, at no very distant period, of the establishment of a peace, suitable to the interests of Great Britain, and likely to preserve the tranquillity of Europe."

Mr. Pitt answered Mr. Fox at great length; after which,

Mr. Fox said, that though he felt it somewhat unreasonable again to trespass upon the patience of the House, by claim-

ing the usual privilege of reply, yet, at this period of the session and of the parliament, he was so anxious to have his sentiments fairly understood, that he would avail himself of an indulgence which he would not otherwise have required, and make a few observations on the speech of the right honourable gentleman. At the beginning of his speech the right honourable gentleman seemed to dwell, with some degree of triumph, upon an imputed inconsistency which he affected to discover in his arguments on a former occasion, when Turkey was endangered by the Empress of Russia, and, in the present instance, with respect to the recent dismemberment of Poland. But, was the infamous partition of Poland in any respect to be compared with the circumstances of Turkey at the period alluded to? The Turks, after an unprovoked aggression, were humbled by the power of the empress, and he had reprobated the idea of the arrogant interference of this country to prevent her from obtaining that indemnification to which she was entitled. He had said, that if the concurrence of France, in a situation to act with effect, could have been obtained, he would have advised our interposition to prevent that horrible injustice, the infamous partition of Poland; a measure which would have been justified by a due regard to the balance of Europe. The right honourable gentleman however seemed to consider the balance of power as very little affected, because the division which took place among the three different states concerned in the transaction was so equal as to preserve that relation of strength which they mutually held to one another. This argument, upon its own principle, could only be good, if the division had been so exact as to preserve the proportion, not in any three, but in all the states of Europe, by assigning a correspondent share to each. But when a minister went so far as to overlook the injustice of a few great nations in swallowing up the possessions and destroying the independence of the little surrounding states, and to sanction that robbery which kings might find it so easy to practise, merely because the plunder was equally divided amongst the guilty, there was an end at once of the balance of Europe. But what was the injustice and the infamy of this partition, how formidable the danger to the balance of Europe, when it was considered that the population of Poland was equal to that of this country, and its natural wealth and resources great and important! It was, indeed, a terrible principle, which was advanced by the right honourable gentleman, that (no matter for this injustice) the balance of power remains the same, as those states, who have divided the plunder, have maintained in this new accession

the proportion of strength they previously held to one another.

With regard to what had been called his special pleading on the subject of the communication between the French government and certain societies in this country, he would still ask, how it was possible for us, without acknowledging the French republic then established, to found any proceedings upon those communications, or to take any offence at the conduct pursued by the French, without referring it to the government, and stating it as a ground of dissatisfaction? It was certainly true, that he did consider the minister, in 1792, as sincere in his wish for the continuance of peace. The right honourable gentleman had said, that this confession supported the presumption that ministers had not gone to war precipitately. What he meant to show, however, was, that the general effects of the Revolution in France were not the causes of the war; for, at the time when ministers expressed pacific intentions and hopes, many of the events so much insisted upon, had taken place, and he wished to confine the real causes to the three points which he had mentioned. The right honourable gentleman said, that at the beginning of the war the success was such as to justify the hopes they entertained: This was precisely what he had intended to illustrate, that, whether good or bad success occurred, the argument for the continuance of the war derived equal support with ministers from either event. At the end of 1793, it was said, that proposals for negociation would have been humiliating, and would have produced an offer of terms, which it would have been disgraceful to accept. But did the right honourable gentleman recollect the language he held, and even announced from the throne, with regard to the events of 1793, when he said that the campaign had been as brilliant as could have been expected, and equal to the most glorious campaigns of the war of 1763? The support of monarchy in France was justified as a desirable object of policy for the purpose of dividing the French, and as a means of promoting the security of this country. On the first point he presumed to differ, and he considered the support held out by this country to monarchy in France as one of the causes of that union which had prevailed among the French. With regard to security, it was a vague, indefinite object, nor was it easy to know to what it related. He understood, that at the commencement of the war, the establishment of monarchy was left out of the question; nothing but atonement and satisfaction were the topics insisted upon, and it could only be from the existing government that this satisfaction could be obtained, and for which purpose it was also necessary that the govern-

ment should be recognized. With regard to La Fayette, he was sorry that the right honourable gentleman, who found himself obliged so often to interfere in continental affairs, on an occasion like this, possessed so little influence. But what could he say with respect to the treatment experienced by M. Alexander Lameth in this country? The right honourable gentleman said, that whatever might have been the conduct of ministers, this House was not the place where he was to give any explanation. He had execrated the bill under which ministers had acted, on its first introduction*, and had foretold the abuses that would be committed, which he now found to be realized. But it was then said, that the bill inferred a responsibility on ministers for their conduct under it; if so, ministers had incurred responsibility, and this was the proper place to inquire into the subject. He asked, then, for what reason M. Alexander Lameth was sent away? That gentleman had been a constitutionalist, many of whom were employed by us, and those alone were treated with harshness, who would not draw their swords against their native country. If any man was deserving of particular respect and attention, it was the man who had been the zealous assertor of limited monarchy, who had been thrown unjustly into a Prussian dungeon, and his health greatly impaired; and yet he was marked out to Europe as the severest victim of our persecution, and as an example to those who should refuse to fight against their country. It was said, that the effect of the motion was humiliating — but for whom? Not for the country, which he wished to separate from ministers as much as possible, but for ministers alone. But it was said, that the war had been approved by parliament, and sanctioned by repeated votes. But did the right honourable gentleman recollect, that in 1782, when the American war drew near a conclusion, it too had been sanctioned by repeated votes, and supported by very great majorities? In the course of his reading that morning, he had found in the works of his deceased friend Mr. Gibbon, an observation, that during that war the sense of the people without doors, which had originally been favourable to it, began to turn; yet the House of Commons followed the change of public opinion, *haud passibus æquis*, — a remark, historical with regard to the past, which might have been prophetic with regard to the present.

By submitting his present propositions, he wished to give the people of this country an opportunity of rescuing their character from any share in the guilt which ministers had incurred. The right honourable gentleman had talked of the

* See Mr. Fox's Speeches on the Alien Bill, Vol. v. p. 1.

derangement of the French finances; but if the right honourable gentleman reasoned from cause to effect, might not he reason from effect to cause, and, from the astonishing vigour and success of the military operations of the French, conclude that their finances either had not been deranged in the degree alleged, or were now re-established? It was said, that no authentic accounts were received of the late successes; but, he believed, little doubt could be entertained of their truth. It was little doubtful that the French had an army of 70,000 men in Italy, and he was persuaded, that when the German accounts, on which the right honourable gentleman relied so much, arrived, the army of the French would probably be stated to be more numerous. It was urged, that formerly it had been admitted by opposition, that if propositions of peace should be made, and not accepted, the effect would be to divide the French, and unite the people of this country. But surely it was understood, when this observation was made, that proposals were to be made in such a way as to have a fair chance of success.

As to what the right honourable gentleman had said of Mr. Wickham's communication, he had made the best defence of the conduct of the French; for was it to be expected that any attention would be paid to a man who had no sanction from the allies with whom we were connected, nor any authority to make specific proposals; or would the right honourable gentleman have caused the correspondence with Mr. Wickham, which was of a private nature, to be published, or have published any private communications that might have been made from the French, had he been serious in his desire of pacification? With regard to terms, certainly some attention should have been paid to the prejudices of the French. If the right honourable gentleman reprobated the conduct of France, in not coming forward with proposals, why did he not avoid the conduct which he considered to be presumptuous in them? There might be reasons of policy which determined the French to adhere in appearance to the principle of annexation of the conquered provinces, as there the war was to be carried on, and it might be prudent to consult the inclinations of the inhabitants of those provinces. This he thought probable, but he stated it only from conjecture. He certainly considered the recognition of the French republic as of the last importance, and much more necessary as a preliminary than the conditional recognition of America, during the last war. Though the French, acknowledged by almost all Europe, and triumphant in their military career, might not condescend to complain of the circumstance of not being recognized they would feel and resent the indignity. If the

French had talked of the British nation, without any notice of his majesty or the government, would not the right honourable gentleman have dwelt on this as a proof of their insincerity in their desire of peace? Since the French had bestowed upon the various republics of Genoa, Venice, Berne, &c. their titles of Magnifique Doge, &c. they had been upon better terms with these states. The French, therefore, felt from his conduct, that the minister discovered no serious inclination for peace. Much as he disliked the system of annexation which the French professed, still he thought that a fair chance had not been given to any proposals for negociation. He wished the House to come to some resolution which would bring forward a different system of measures. Of the finances he had said little. He reprobated the practice of comparing the state of our finances with the exhausted situation of the enemy, and thereby deriving arguments for perseverance. He was sensible that our resources were great, and he was happy to consider them in that light; but the efforts which the French had made, should convince us that their resources were not exhausted.

The House then divided:

Tellers.		*Tellers.*	
AS { Mr. Whitbread, Gen. Tarleton }	42.	NOES { Mr. J. Smyth, Mr. Sargent }	216.

So it passed in the negative.

ADDRESS ON THE KING'S SPEECH AT THE OPENING OF THE SESSION.

October 6.

THE king opened the first session of the new parliament with the following speech to both Houses:

"My Lords, and Gentlemen; it is a peculiar satisfaction to me, in the present conjuncture of affairs, to recur to your advice, after the recent opportunity which has been given for collecting the sense of my people, engaged in a difficult and arduous contest, for the preservation of all that is most dear to us. — I have omitted no endeavours for setting on foot negociations to restore peace to Europe, and to secure for the future the general tranquillity. The steps which I have taken for this purpose have at length opened the way to an immediate and direct negotiation, the issue of which must either produce the desirable end of a just, honour-

able, and solid peace for us, and for our allies, or must prove, beyond dispute, to what cause alone the prolongation of the calamities of war must be ascribed.—I shall immediately send a person to Paris with full powers to treat for this object, and it is my anxious wish that this measure may lead to the restoration of general peace: but you must be sensible that nothing can so much contribute to give effect to this desire, as your manifesting that we possess, both the determination and the resources to oppose, with increased activity and energy, the farther efforts with which we may have to contend.—You will feel this peculiarly necessary at a moment when the enemy has openly manifested the intention of attempting a descent on these kingdoms. It cannot be doubted what would be the issue of such an enterprise; but it befits your wisdom to neglect no precautions that may either preclude the attempt, or secure the speediest means of turning it to the confusion and ruin of the enemy.—In reviewing the events of the year, you will have observed that, by the skill and exertions of my navy, our extensive and increasing commerce has been protected to a degree almost beyond example, and the fleets of the enemy have, for the greatest part of the year, been blocked up in their own ports.—The operations in the East and West Indies have been highly honourable to the British arms, and productive of great national advantage; and the valour and good conduct of my forces both by sea and land, have been eminently conspicuous.—The fortune of war on the continent has been more various, and the progress of the French armies threatened, at one period, the utmost danger to all Europe; but from the honourable and dignified perseverance of my ally the emperor, and from the intrepidity, discipline, and invincible spirit of the Austrian forces, under the auspicious conduct of the Archduke Charles, such a turn has lately been given to the course of the war, as may inspire a well-grounded confidence that the final result of the campaign will prove more disastrous to the enemy than its commencement and progress for a time were favourable to their hopes.—The apparently hostile dispositions and conduct of the court of Madrid have led to discussions of which I am not yet enabled to acquaint you with the final result; but I am confident that whatever may be their issue, I shall have given to Europe a farther proof of my moderation and forbearance; and I can have no doubt of your determination to defend, against every aggression, the dignity, rights, and interests of the British empire.

"Gentlemen of the House of Commons; I rely on your zeal and public spirit for such supplies as you may think necessary for the service of the year. It is a great satisfaction to me to observe that, notwithstanding the temporary embarrassments which have been experienced, the state of the commerce, manufactures, and revenue of the country, proves the real extent and solidity of our resources, and furnishes you such means as must be equal to any exertions which the present crisis may require.

"My Lords, and Gentlemen; the distresses which were in the last year experienced from the scarcity of corn are now, by the blessing of God, happily removed, and an abundant harvest affords

the pleasing prospect of relief in that important article to the labouring classes of the community. Our internal tranquillity has also continued undisturbed. The general attachment of my people to the British constitution has appeared on every occasion, and the endeavours of those who wished to introduce anarchy and confusion into this country, have been repressed by the energy and wisdom of the laws. — To defeat all the designs of our enemies, to restore to my people the blessings of a secure and honourable peace, to maintain inviolate their religion, laws, and liberty, and to deliver down unimpaired to the latest posterity, the glory and happiness of these kingdoms, is the constant wish of my heart, and the uniform end of all my actions. In every measure that can conduce to these objects, I am confident of receiving the firm, zealous, and affectionate support of my parliament."—After an address in answer to the speech had been moved by Lord Morpeth, and seconded by Sir William Lowther,

Mr. Fox rose, and spoke to the following effect: — It is not, Sir, my intention to take up much of your time in what I have to offer to the House on the present occasion; but if I were to give a silent vote upon the motion which has just been made, I apprehend that my conduct might be subject to misconstruction. I know that it may undoubtedly be considered as presumption in an individual to take up any portion of the attention of the House, merely to obviate the possibility of misinterpretation, yet I feel that I should not do justice to my own principles, if I were to suffer the question to pass under a silent vote. In the first place, then, the striking feature of the speech is — that his majesty has been at length advised to do what it has fallen to my lot to advise his majesty's ministers to do repeatedly for the last three years, namely, to open a negociation; this, which is the leading feature of the speech, ought undoubtedly to reconcile me to the address which has been moved, and I should be happy if it contained no other features of a less pleasing aspect, and that I could have given my entire approbation to every part of the address. Of that striking feature I most cordially and highly approve. I cannot forget how often I have advised this measure, nor how often, without success, I have pressed it upon ministers; but however I may lament that the counsel was not taken before a hundred millions of money had been spent, and thousands of lives devoted to the cruel contest, yet it must draw from me my warm approbation now that it has been followed. He who thought that the war was originally unnecessary, and that every moment since its commencement was a proper moment for beginning a negociation for peace, cannot object to the measure which his majesty has announced that he has been advised to take in the present moment. I will not say one word about the particular and the fit time for such a

measure, all times appearing to me to be equally wise and salutary for endeavouring to restore to the people the blessings of peace. Nor will I recollect, much less retaliate, the personal invectives that were thrown out against myself; that an attempt to negociate with such a people, was to lay his majesty's crown at their feet, and that it was a degradation of the honour and dignity of Great Britain; that to propose to open a negociation was, in fact, to sue for peace; and that such conduct was neither dignified nor political. Such was the language of the last parliament, and such was the animadversion made on the advice which I then gave. I will content myself with repeating what I then said, that "to propose negociation is not to sue for peace." It is at every moment dignified and proper to strive to restore the blessings of peace, and it is certainly one thing to propose a negociation in which terms are to be fairly and manfully discussed, and another to sue to your enemy for peace. He who objects to this distinction is not animated by that feeling which ought ever to be uppermost in the mind of a statesman — an anxious desire of shortening the calamity of war, and paving the way, by every practicable means to that desirable end. He ought, therefore, to make it manifest by his conduct, that no career of conquest and no reverse of fortune, can divert him from that single object — a negociation for peace in preference to any other object. I repeat, therefore, that I most perfectly and entirely approve of the present measure, and will not now mix my assent to that part of the address, with any observation on the tardy and protracted manner in which it has at length been resolved upon.

And thus approving of the principal feature of the address, I am extremely unwilling to oppose any other part of it, and wish that it had been so worded as to have entitled it to the perfect unanimity of the whole house. There are some expressions, however, of which I must take notice, and I shall do so rather with the intention of explaining the vote which I shall give, than of moving any thing upon them. And first, in the beginning of the speech there is an expression that his majesty has "omitted no endeavours" to open a negociation; now, unless by the words "omitted no endeavours" it is meant to say that every endeavour has been used since the close of the last parliament, we ought not to agree to the expression; for undoubtedly ministers cannot expect that gentlemen, who like myself, objected so frequently to their refusal to exert any effort at all, should now acquiesce in an assertion that they had used every endeavour to bring about a negociation. Unless, therefore, it is meant to allude to the endeavours which his majesty has made since the close of

the last parliament, endeavours which I am willing to take upon trust, I desire that it may be clearly understood that I am not to be precluded by my vote this night from animadverting upon his majesty's ministers for their former want of endeavours to bring about a negociation for peace.

There is much, Sir, that deserves praise in the construction of the present speech. Ministers have omitted the words to which they have been so bigotted heretofore, of the war having been undertaken for "the cause of religion, humanity, and social order," words calculated only to inflame and to exasperate the two nations against each other, and to set the probability of peace at a greater distance; neither have they asserted their constant and unfounded phrase, that "the war was just and necessary." They have acted wisely in thus abstaining from intemperate language; for surely at a time when they are about to negociate for a peace, it would have been peculiarly ill-judged and unseasonable, to have made use of language repulsive and bitter to the people with whom you had to treat; nor would it have been wise to introduce words calculated to prevent unanimity in this House, upon the course which his majesty has been slowly advised to pursue; since with respect to the necessity of the war, and all the jargon of epithets that have been applied to it, there must always continue to be a fundamental difference of opinion.

There are other parts of the speech, which, perhaps, demand a little explanation, and which if we pass over for the time, it is to be understood that we are left at full liberty to enquire and to question the assertions hereafter; such is the declaration of the flourishing state of our manufactures, trade, and commerce. I must take this upon trust. I cannot object to the assertion of a fact, the proofs of which I have not before me. We shall soon have the means of knowing, upon better authority than mere assertion, the state of the country; and I trust it will turn out to be prosperous and flourishing. Our agreeing to the assertion in the mean time, must not be construed to preclude us from enquiry, much less to involve our assent. When I hear it said, that by the flourishing state of our manufactures, trade, and commerce, our resources are equal to the crisis in which we are involved, I must hesitate in giving credit to an assertion which is so little supported by the public appearance of things. I must think, when I look at the price of the general funds of the country, the state of the transferable securities of government, the monstrous discounts upon the enormous quantity of paper which they have issued, together with the daily conferences of which we hear for schemes to relieve the pecuniary embarrassments of

trade, I must think, I say, that our resources are in a less favourable state than his majesty's ministers have chosen to make us believe they are; and when the question comes hereafter fairly before us, then, and not now, will be the proper moment for ascertaining the truth of this important fact, and of making the proper declaration thereon.

There is one other part of the address, I believe it is nearly, if not the concluding sentence, upon which I cannot forbear to make some observations; it is that part of it in which we are made to rejoice in the general tranquillity of the country; a sentiment in which I heartily concur, for tranquillity at all times is a most desirable thing; but when we proceed farther and hear this tranquillity ascribed to the wisdom and energy of the laws, insinuating that the laws which were passed in the last session of the last parliament have secured to us this tranquillity, and triumphed over anarchy and confusion, I must enter my solemn protest against the whole of this assertion, and against all such assertions. I have never been convinced that there were any such persons in this country, or at least that there were any number of persons in this country desirous of anarchy and confusion, worthy of the attention of his majesty, or of this House; I therefore must solemnly protest against the insinuation, that it is to the energy of those laws that we are indebted for the general tranquillity that is said to have reigned. General tranquillity arising out of the obedience which a rational people cheerfully pay to good laws, must always be a subject of real rejoicing; but, if it is meant to be said, that general tranquillity has sprung out of the two laws of the last session of the last parliament — laws which ought to be the object of our terror and abhorrence, and which are calculated to excite these feelings — I cannot rejoice in any such tranquillity. Should I be asked, have these laws produced tranquillity? I answer, No: it is not in the nature of such laws to produce tranquillity. Such laws may produce a forced quiet, which I consider as a real alarm. Do we rejoice in such a tranquillity where discussion is to be stifled, and men are to brood in secret over the grievances which they feel? No: such a tranquillity alarms me more than tumult. It is a tranquillity which every man who loves freedom ought to see with pain — every man who loves order ought to see with terror. Sir, to the constitution no man can feel a stronger attachment than myself; but I will not sport with the word constitution; I will not use the word without explaining it: my attachment is to the constitution under which I was born — under which I was bred — not to that of the last parliament, which did more to maim and disfigure the ancient constitution

of England than any former parliament that ever sat within these walls. Let me then, Sir, be clearly understood, that I do not join in this insinuation of praise upon these abominable laws, nor ascribe to them effects which I believe inapplicable. Much as I wish for a general approbation of the measure of endeavouring to procure peace to this country, yet, I should think it was purchased at too dear a rate, if coupled with the approbation of these abhorrent laws; and I have thought it my duty to say so much, that my vote may not be misinterpreted into an acquiescence of this part of the address.

I am one, Sir, who thinks that the whole system of our foreign politics, on which this war was undertaken, has been faulty: I think also, that springing from the same source, our whole system of domestic policy has been equally faulty. They have run on together in a parallel progress, and have produced all the varied calamities which the people have been doomed to suffer. I think, therefore, that whatever may be the result of the negociation which his majesty has been at length advised to open, still it will be the duty of this House seriously to re-consider the system which has produced these evils, and to devise the means of preventing similar evils in future. Peace, I own to be our great object, the first, the chief thing to be pursued, and if possible, to be obtained: but whether peace itself, without such a review and such a change of system as may protect us in future from such calamities, can restore us to our former condition, may be a matter of doubt. Peace would certainly be beneficial, even accompanied by the bad system that has lately been introduced. Peace might enable the people a little longer to endure the evils with which that system is fraught; it might render it a little less pernicious on account of the advantages which would flow from the revival of industry and trade; and therefore, at all events, let us have peace; but let it be thoroughly understood, that in the one case it will only be a palliative, in the other a remedy. Peace certainly is the chief object: it is preferable to any single object of policy; but whether peace will be effectual, if there be no change in our domestic politics, may be a matter of doubt. Peace, therefore, shall have my cordial support, and every measure, like the present, that leads to the desirable event, or that makes an opening towards it, ought to be received with unanimity by all descriptions of men.

The noble lord who moved the address with so much credit, as to justify the House in entertaining the most promising expectations of him, (and the noble lord well knows that it must at all times afford me peculiar pleasure to see him dis-

tinguish himself as he has done this evening,) — the noble lord, I say, went a little farther than the speech from the throne, and in speaking of the proper period for negociation, said, that "the present government of France, possessing stability, possessing security, was a proper government to negociate with." If you treat with a power, you ought to speak with respect of that power. It is therefore that I approve of the noble lord's sentiment; for it must have struck him, as it must strike every sensible person, that if you mean to negociate with the French government, you ought to speak with respect and civility of the executive directory. I wish that something more of this kind had been introduced into the speech and the address. I do not mean to say that it was necessary to state the stability and security of the present government of France; but after all the jealousies and personalities that have been entertained, I should have expected that his majesty would have told us to whom he was sending a person; and if not to what government, at least to what country. I should have expected, that if in our differences with Holland, his majesty had sent a person on a mission to the Hague, he would have made mention of the States General. I did expect, therefore, that he would, in this case, have told us, that he meant to send a person to the executive directory of the French republic. I perceive gentlemen on the other side of the House laugh at this expression. Are the members of the executive directory so obscure, that if they had not been named, we should not have known to whom we had been sending a person? It is on this account that I thought the sentiment expressed by the noble lord, respecting the present government of France, a proof of his good sense. I know it may be said, that men are apt to be tenacious of their own opinions; that I have carried the opinions I expressed during the American war into this war, and that, as in the former instance, I supported the recognition of American independence, I have in the latter supported the recognition of the French republic. This may be the case; but I must contend, that it is agreeable to common sense, that when you enter into a negociation, there may be points which are not of a nature to be insisted upon by the power negociated with, but which are calculated to conciliate esteem, or if you will, to gratify the pride of such a power; that the executive directory are in such a situation as to have their pride hurt by the omission of such points, I do not believe; but if I were negociating with any gentleman, I should certainly take care not to do any thing that might seem to be a purposed omission, or a calling in question of any of the titles and dignities by which such gentleman was

distinguished. If these things were omitted in the speech from mere inadvertency, I shall be extremely glad to find that there is no other cause. But they are material in another point of view. That the negociation may be successful, I sincerely hope; but if unfortunately it should not, much would have been gained by an attention to these things; they would have served to have convinced the people that the nature of the contest was changed, and that all ideas of restoring the old government of France, or of interfering in the internal affairs of that country, had been abandoned. I am sure that this would have produced the greatest advantages, on the supposition that the war was to be prolonged; upon this subject, however, I do not mean to press any alteration in the address, because, if omitted by accident, I will not thwart the prosecution of the main object by my remark; they might refuse my amendment, though convinced of their own error, from an unwillingness to be so corrected; and this is not the moment in which I shall endeavour to throw any thing that may be construed into a check upon their conduct. It is my wish to leave them full powers; and therefore I mention the circumstance without meaning to move any amendment in consequence of it.

On the subject of the situation of this country with respect to Spain I shall say nothing, because his majesty has informed us that he is not yet enabled to acquaint us with the issue of the discussions that have been entered into with that power. Ministers say that their conduct has been forbearing: I hope it will be proved so. I hope, too, that the country will learn by the severe lesson which the American war, and the present war, have afforded them, that moderation and forbearance are the characteristics most fitting a great nation, and the most consistent with true magnanimity. I own I was sanguine enough to suppose that the American war had taught them experience — I was mistaken; a second lesson of adversity was necessary; a second lesson they have had, and I trust it will prove effectual. On the differences with Spain, I shall, as I have before stated, say nothing; it is not now the period to look back, a retrospect must come, but not at present; yet the very apprehension of a war with Spain affords a proof of the short-sightedness of human wisdom. At the time when we entered into the war, Spain and Prussia were our firmest allies. Now, however, we are to expect, that if the war be continued, we are to have an enemy in Spain. Of Prussia I hear nothing, but I may at least suppose that we have no reason to expect any great assistance from that power. It has been said that experience may be bought too dear; as we have paid so dear a price for it, let

us at least have the benefits of it, and let us go to negociation with moderation and forbearance. Of the terms of peace I purposely avoid saying any thing. I know the resources of the country to be still great, and sure I am, that if the people are convinced that the ambition of France renders it necessary to employ force and to continue the war, those resources will be afforded with the utmost readiness. What are likely to be the terms of peace, I will not even conjecture. What hitherto has been done can only be considered as an overture towards that desirable object; but I have no difficulty in saying, that we ought to negociate in the spirit of great moderation. By the spirit of great moderation, I do not mean that we ought to accept degrading terms, but I will not hesitate to say, that I should be inclined to find less fault with terms that may be faulty on the side of moderation, than faulty from a contrary principle.

With regard to the Austrian victories which make a topic of animated exultation in his majesty's speech, it may certainly be right to rejoice in the gallantry they have displayed, and the laurels they have recently acquired. No man admires their great military exertions more than I do; but let it be recollected, that we are called upon to rejoice on their having recovered only a part of what was lost in this campaign, and that it is not because they have reaped successes, calculated to obtain what ministers themselves originally stated the object of the war to be, but because they have saved the house of Austria from the utter destruction with which it was threatened; while we rejoice, I presume we can hardly flatter ourselves that the Austrians are likely to recover all that they have lost in the present campaign, much less what they have lost in all the campaigns that are past; and even this, Sir, must furnish a new subject for reflection, which the achievements of our navy still farther serve to corroborate: the achievements of that navy have been brilliant and glorious; at no former period have they displayed greater gallantry, and never perhaps equal skill. No eulogiums can be too high for their merits. Yet after all this, the character of the peace which we are desirous to obtain, and the utmost we can expect, is, that it shall be solid and of permanent duration: this, I believe, is as high a character as the peace is likely to deserve. Then what must be the sort of conflict in which we are engaged, in which, — after a four years' successful exertion of all the skill and all the valour of our navy, in which they have invariably conquered, and carried the flag of England triumphant to every quarter of the world — all our efforts cannot produce to us a peace either brilliant or glorious, but we must content ourselves with

hoping for a peace that may be solid and permanent? Must we not own that there is something in the cause in which we are engaged radically defective, that palsies our efforts, and disappoints our strength? that there is something which demands from the common sense and from the prudence of Englishmen, a strict and a rigorous investigation, that we may discover what this something is, not merely to retrieve the present calamity, but to guard our offspring against the error in future? A day will come for such a question; and I give my assent to the present address, without moving any amendment upon the points of which I do not cordially approve, because when the day of such a discussion does come, I shall have an opportunity to state the sentiments that I think it important for the House to entertain upon those points. With this reserve for a future day of discussion, I shall not oppose the present address.

The address was carried *nem. con.*

Invasion — Augmentation of the Militia.

October 18.

THE House having resolved itself into a committee of the whole House, to consider of the paragraph of his majesty's speech to both Houses on the 6th instant, which relates to the enemy's having manifested an intention of attempting a descent on these kingdoms, Mr. Pitt opened his plan for repelling the designed, as well as future attempts. For this purpose, he formed a plan for levying 15,000 men from the different parishes for the sea service, and another for recruiting the regular regiments. In the projected levies for the land service, he considered two objects; first, the means of calling together a land force sufficient of itself to repel an invasion, even independently of our naval armaments; and, secondly, to adopt such measures in the levies as should not materially interfere with the agriculture, commerce, and general industry of this kingdom. The primary object was to raise, and gradually train, such a force as might in a short time be fit for service. For this purpose he proposed a supplementary levy of militia, to be grafted on the old establisment, of the number of 60,000 men; not to be immediately called out, but to be enrolled, officered, and completely trained, so as to be fit for service at a moment of danger. He also proposed to provide a considerable force of irregular cavalry, to be levied in the following manner: every person who kept ten horses, should be obliged to provide one horse, and one horseman, to serve in a corps of militia; and

those who kept more than ten, should provide in the same proportion; and that those that kept fewer than ten, were to form themselves into classes, in which it should be decided by ballot, who, at the common expence, should provide the horse and the horseman: these troops were to be furnished with uniform and accoutrements, arranged into corps, and put under proper officers. The whole number of cavalry proposed to be raised by this mode was 20,000: the other supplemental troops amounted to 75,000 men.— Mr. Sheridan said, he did not mean to oppose the resolutions; he wished only to have some farther explanation, and to be informed, whether the real object of all our military preparations was not the extension of our colonial possessions in the West Indies?— After Mr. Dundas had spoken in defence of Mr. Pitt's proposition,

Mr. Fox rose and spoke to the following effect:— In this stage of the business it does not appear to me to be the duty of any man to make an opposition to the measure now proposed. But even in this stage of it I have no difficulty in saying, that from the sense I have of the general plan, there are many parts of it, to the adoption of which no eloquence is likely to reconcile me. The right honourable secretary who spoke last had been pleased to say in answer to the observations of my honourable friend, that although the French in case of an invasion may land no cavalry, yet it is proper that we should be provided with cavalry to oppose them. My honourable friend's observation did not call for this sort of answer. The right honourable gentleman observes, that at all events this country ought to make great preparations at home, and that he is satisfied, that if we should be under the necessity of going on with the war, these preparations may be very beneficial to us in many respects. I object to the generality of this mode of speaking, because it conveys to us no specific information, and is likely, from being just in the abstract, to entrap some into an approbation of measures which may lead to consequences of which persons so approving are not aware. That if we are compelled to go on with war, great preparations will be necessary, is a truth which nobody disputes; but it is a truth which conveys to us no information. It is applicable to this war, was applicable to the last, and will be applicable to every war. The right honourable gentleman should have applied his reasoning a little more closely; he should have come to the proposition which is now before the House. The question is this:— is the proposition before us fit to be adopted under our present circumstances? If it be, then I say, that, for any evidence that appears before us, it was fit in 1756, was fit in 1778, fit in 1794, and has always been fit in every period in which this country has been engaged in war. But, for the

whole necessity of the measure, we have only the authority of the king's ministers, on which I do not choose to rely. I should have been unwilling to rely, in the last war, on the authority of much better ministers than the present, and to make that authority a foundation for such propositions as the present. It is not by the authority of ministers, but by the striking exigency of a particular moment, that parliament are justified in adopting particular and extraordinary measures. I beg the committee will attend to this, and reflect on all that has been said upon it by the right honourable the chancellor of the exchequer; they will then see that he has dealt in nothing but generality; which, if considered as proof, proves a great deal too much for the purpose of the right honourable gentleman, for it proves that this species of defence is applicable to this country in every war, since he has not distinguished the exigency of the present moment, from that of any other in which this country has had the misfortune to be engaged in war. This is one in addition to the very many instances which his majesty's ministers have given of their great eloquence in urging general arguments without any specific applicability, in which they are eminently skilful, when it is their object to take money from the people, and to increase the power of the crown. The right honourable secretary has thought fit to pronounce a panegyric on the last parliament, and to recommend its conduct for the imitation of this. My opinion of the last parliament is, that it has done more mischief to the real welfare of this country than any other that ever sat since a parliament was ever known or recognized in England; at least, since parliaments had any credit for attending to the interests of the people. To hold it up, therefore, as an object of imitation, is enough to confound any man who feels for the principles of freedom; — a parliament which has done more to destroy every thing that is dear to us, than in better days would have entered into the mind of any Englishman to attempt, or even to conceive. Shew me a parliament, in consequence of whose proceedings the people have been drained so much, and from which they have had so little benefit! Shew me a parliament since the year 1688, the æra of our Revolution, that has diminished the rights, the best, the dearest rights of the people, so shamelessly, so wickedly, as the last parliament have done! Shew me a parliament since that period that has so uniformly, so studiously sacrificed the liberty of the subject to increase the influence of government, as the last parliament have done! To make it the subject of panegyric — to state its proceedings to be such as to be worthy of imitation, is beyond endurance. Sir, I consider the last parliament as a curse to

this country. The leading principle on which they acted was that which leads directly to complete despotism — unlimited confidence in the ministers of the crown. Shew me a parliament since the Revolution, that has given such a confidence, and look at the effect of such practice. This is the only war that has ever been conducted on the part of this country, in which there never has been one inquiry on the part of parliament. You see to what state that has led you already. Should this parliament be like the last (God in his mercy avert it!) this country will soon be in a condition, in which it will be of little importance, whether they have a parliament or not. But for the conduct of the last parliament we should not have heard of the measure which is now proposed to us.

I know I may be told that I often speak intemperately, and that I do so now, but I speak as I feel, and I think it is impossible for any man to feel more strongly than I do at the present situation of this country. Ministers tell us, that the measure which they now propose is necessary to our safety. If it be so, it is their own conduct and the conduct of a confiding parliament, which has brought us into that situation. And what is the measure which they now propose? Why, it is, in its nature, a requisition; an imitation of the system of the French, against which so many vehement declamations have been pronounced: against the principle, applying it to a settled state, justly; but as against the French, in their condition, in my opinion, improperly, or at least in too unqualified a manner. Ministers now tell us, however, that our situation is such as to call for this measure. Granting it to be so for the sake of the argument only, I would then ask, what has brought us into that situation? To this I answer, without the least difficulty, the confidence, the criminal confidence, of the last parliament. One inevitable effect of that confidence of parliament in the minister has been the want of the confidence of the people in the integrity of parliament. The right honourable secretary says, "it is good to be prepared." Certainly it is so; but when he comes to us, and makes this requisition, it is incumbent on him to shew us the reason why we should be thus prepared. He should lay before us the ground on which he calls for that requisition. How stood the case in former periods of this war? In 1794 there was as much reason for such a measure as there is now; there was then as much of a rumour of an invasion as there is now; and so the ministers told us at that time. The House, upon the faith of the ministers' assertions, agreed to measures of the most unconstitutional nature, to avert, as it was supposed, the impending danger. Such measures, although unconstitu-

tional, were then thought to be necessary; and they were thought also to be sufficient to keep the French from attempting the desperate measure of an invasion. Are the French now more likely to make that desperate attempt than they were then? Or are we not now in a better situation than we were then? I conceive that ministers themselves would answer these questions in a manner very consolatory to the people of this country. Such was our state in 1794. What is it now, and what the difference between the two situations? Ministers now tell us that an intention has been manifested on the part of the enemy to invade these kingdoms. I am too much accustomed to the artifice of ministers to receive any very deep impression from what they say. Did they not say formerly what they say now, that the enemy had some intention of invading this country? Certainly they did, and they were entrusted with force sufficient to prevent that calamity.

But, says the right honourable gentleman who spoke last, "I am of opinion, that, as it may be necessary for this country to carry on an offensive war, this measure may be of great advantage, inasmuch as we may thereby be the better able to avail ourselves of our forces." To this, as a general proposition, I do not object. It is true. But then I say to ministers, "Bring before us the facts on which you say this measure is necessary. What I object to is your duplicity. If you really want this force, and to the extent you say you do, shew me the reason for it, and I will grant it cheerfully. All I want is, that you state to me the reasons. You did so when you called for the augmentation of the navy, and you had it; but do not ask any thing to carry on the war abroad under the mask of defending us at home; for in that case you are asking under a false title what, under a real one, the people of this country would not grant to you; for, I know, they will grant to you, to prevent an invasion at home, what they would refuse with indignation, if asked to carry on the war abroad."

But, Sir, it seems we are to have the responsibility of ministers for the due application of the grant which they now call for. Look at the extent to which the principle of voting such extraordinary measures as these, upon the idea of responsibility, may lead you. By it you will introduce a practice that must deprive the people of all their rights and all their property. If it should turn out (not an extravagant hypothesis), that all this story about an invasion is a mere pretence to gain the consent of the people to the measure now proposed, and that the real object is extremely different, what then will become of the boasted responsibility of ministers? How are

we to make them responsible? We may say, and say truly, that "the event has proved there was no danger of an invasion when this measure was adopted." To which the ministers may answer, and be assured they will, "True, there was no invasion, but then it was owing to the very measures which we proposed, and you adopted, that the invasion was prevented." How, then, are we to make ministers responsible for what they do under such a measure as this? The idea of responsibility in such a case is perfectly ridiculous. Why, Sir, at this rate you may go on and do every thing that the minister may ask you, until you have totally destroyed the constitution; the principles have already been too much invaded by the measures of the present ministers. There are some inconveniences that necessarily arise out of a free constitution. I know that many authors of great eminence have pointed out those inconveniencies. I do not deny it, although I have never seen them in so strong a light as the authors I allude to say they did; but the advantages resulting from a free constitution are so great, so numerous, and to me so clear, that I cannot patiently argue upon them, when they are put in the scale against the supposed advantages of a contrary form. Be that as it may in the opinion of others, I say, you cannot argue that subject in this House; for the people of this country have made their election: they have chosen a free government, and it is your duty to preserve it with all its inconveniences, if there be any that are worth mentioning. If, therefore, when ministers pretend an alarm, you are to give them whatever power they may ask for, when it is impossible you can attach any responsibility to them, as I have proved already in this case you cannot, why then you desert the point on which the people of the country have already made their election; and, instead of the blessings which your ancestors intended for you, you take what may appear to you, but what never appeared to me, the advantages of despotism. This would be a fraud upon the people of this country.

I know the eloquence that has often been employed to shew, or in attempting to shew, by a flourishing antithesis, that we possess all the advantages of a free government and those of a despotic monarchy, by possessing the wisdom which arises from a free discussion of the representatives of the people and the promptitude and dispatch of an unlimited monarchy. Such an antithesis may answer the purpose of an ingenious orator, and aid him in the course of a florid declamation; but it can avail but little to any man who wishes for the safety of our constitution. I am of opinion, that our constitution, in its true spirit, cannot mix with any thing despotic. Have recourse to experience, the only unerring guide; read the

history of this country, and then shew me out of what page it is that you have discovered how and when it was, that the maxims of a free government have been united with the principles of despotism. I know it cannot be done. I know also, that if you attend to history, and take it as a lesson, you will return to your ancient distrust and jealousy of ministers, whoever they may be, and that you will examine minutely into their conduct. Reflect on the consequences of the contrary practice. You see now before you the effect of it. Confidence, in the first instance, renders confidence necessary in the second. Confidence in ministers induces them to take measures which they cannot continue without farther confidence; they are obliged to call for it in their own defence; in that career you may proceed until you have confided away the whole spirit of our constitution. I am afraid you have advanced in that career much too far already. In my opinion, the spirit of the constitution has been almost entirely set at rest for a time, by the measures of the last parliament. Let it be the practice, for it is the duty, of the present to revive it. There was an expression in the speech of the right honourable gentleman to which I cannot help alluding. He said, "if the present negociation should be unsuccessful, then the present measure will be advantageous to this country." No man wishes more heartily than I do that it may be successful. I wish it from every motive that can actuate a man; but I am not sure that the same feelings are entertained by his majesty's ministers. I hope they are. I say this by way of caution, lest the world should suppose I am such a devotee to the present administration as to suppose that any negociation in which they may fail may render peace to this country totally unattainable. Notwithstanding there are many new members in this House, they know, I believe, enough of me and of my opinion of this war to be well satisfied that I abhorred its commencement. That feeling remains completely unchanged; and whatever opinion the people may have upon the propriety of the measure which is now proposed for the defence of this island from an invasion, I trust this country will never relinquish the opinion, that the war was in its principle and commencement unjust, unnecessary and diabolical. If it shall unhappily become our lot to defend ourselves against an invasion, ourselves we must defend; but whether the proposed measure is more or less than we ought to agree to, or one that we ought to try, are questions of detail, and therefore to that detail shall I defer them. I cannot, however, permit the particular parts of the measures to pass without taking notice of some of them. That part of the plan which refers to the game-keepers appears to me to be a measure of violent injustice

to a class of persons who, as far as the tax which they bear goes, already contribute pretty handsomely to the support of the state.

There is another part of the plan which I cannot pass by in silence. The navy of this country is so much and so justly, the favourite service of it, that no man is willing to find fault with it. I am the last man in the kingdom who would wish to do so, or to say any thing against any service that contributes so much to the greatness of this nation, as I know the navy does. I feel, and I know I only feel in common with all my countrymen, gratitude to the navy; but the circumstance of impressing men, even into that service, great and valuable as it is, would not be a part which a judicious friend to it would select for the subject of his panegyric. I am not now arguing the policy of the practice, for great as the grievance may be to the individuals who are the objects of it, the discussion will be unseasonable until we shall find a better mode for providing for that service, and therefore upon that subject I shall say nothing. But upon the subject of forcing men into the land service the case is widely different; so much so, that I have never yet heard it defended in this country; and yet this measure seems to me to have that tendency, for out of the force which is proposed to be raised there is to be a certain proportion for the navy and a certain proportion for the land service. I cannot, for one, conceive any danger to which this country, under all its circumstances, can be exposed, that would make me ready to assent to a measure that had for its object the impressing the subjects of this country into the land service. I cannot assent to any measure that has for its object the increase of the military force of the kingdom in that manner. This is entering into the very spirit of the French requisitions, which we decry so much. The chancellor of the exchequer says, that only one-sixth part of them shall be exercised at a time, that is, only 10,000, and that they will not be called to the service but in case of actual exigency. Now, are not these words (abating the difference between a speech and the authority of the legislature) the very words of the act of parliament with regard to the militia, which says, "unless in case of invasion or imminent danger thereof?" The consequence will be that the military force thus raised will be subject to military law. I wish to know whether it was the opinion of those who passed the act respecting the militia, that they should be subject to regulations, to which they now submit? Certainly it was not; and as it has been found expedient to call upon them to conform to the rules now adopted in that service, it would have been more manly in parliament

to alter the law in that particular. We are here told, that the military force which is now proposed to be raised, is only to act in case of emergency. What is that to be? Until the French shall land upon our coast? No such thing; I know that such a restriction cannot, and ought not to be imposed upon executive goverment; because you should repel the danger when you are threatened by it. Why, then, it will amount to this, that whenever ministers shall think fit to allege there is danger, the whole of this military power to be entrusted to them for the internal defence of this country in case of invasion, will be entirely at their disposal. What security have we that no abuse will take place, respecting the application of this enormous force? What security have we that we are not now voting for a force, said to be intended for one purpose, but which is really to be applied for a different object? What security have we for trusting that this great military force is not intended to supply the place of other troops, who are intended to be sent abroad? The right honourable gentleman alluded to the safety of these kingdoms. I do not chuse to follow him in that course, for I only speak of the safety of Great Britain, when I canvass the measure which is now before us. It is to that object, and to that only, that I intend it to be applied.

I do not know what information ministers may have respecting the intention of the French to attempt an invasion of this country. I have none, except what I derive from newspapers. I believe that the idea of an invasion is as visionary as that of succeeding in it. I believe the French have no such intention; for they have a government which is likely to be much better informed of the disposition of the people and the situation of the country, than to be led to any hopes of success in such an attempt, therefore do I believe they will not be guilty of the rashness to attempt it. But supposing they had such desperate intentions; supposing they should attempt to carry them into execution, I have no doubt of the issue. My hopes upon that subject are as sanguine as those of any other man in this country. But what should we do in the mean time? What is the duty of this House at this moment? To cherish the spirit of freedom in the people of this country. Restore to them that for which their ancestors have bled. Make the ministers really responsible. Let their parliament not be confiding in the servants of the crown, but watchful and jealous of the exercise of their power. Restore to them the right of popular discussion. Allow them to state freely the grievances they feel. Repeal those laws which have forbidden the exercise of their most invaluable rights. In one word, instead of amusing them with panegyrics upon the form,

allow them to possess the spirit of the old constitution of England: then will you indeed see the energy of the people of England, and then you will have no occasion for adding to your internal military force, for then even an invasion would never be formidable. These are your real resources; the rest are all imaginary. I shall give no opposition to the plan that is now before the committee in its present stage; but I think it fair to say, that some of the parts of it are such as, in the detail, I shall think it my duty to oppose.

Mr. Pitt obtained leave to bring in three bills: viz. 1. A bill for raising a certain number of men in the several counties of England, and in the several counties, stewartries, royal burghs and towns in that part of Great Britain called Scotland, for the service of his majesty's army and navy: 2. A bill for providing an augmentation to the militia, to be trained and exercised in the manner therein directed, and for enabling his majesty to cause the same to be embodied in case of necessity, for the defence of these kingdoms: 3. A bill for enabling his majesty to raise a provisional force of cavalry, and to require the military service of persons therein described, to be embodied in case of necessity, for the defence of these kingdoms.

October 31.

On the order of the day for taking into consideration the report of the committee on the militia augmentation bill, the measure was strongly opposed by Mr. Curwen, and defended by Mr. Pitt. After which,

Mr. Fox said:—I rise, Sir, to offer a few observations upon the doctrines that have fallen from the right honourable gentleman who has just set down; doctrines, which if they be true, we had better do that in words, which the present administration have been constantly doing in actions; we had better declare that the constitution of the country is only good for praise and for oratorical flourish, but that it is not proper for a state of warfare; we had better say that when ministers have brought the country into peril, that peril is a sufficient ground for confidence in them, and that when they have involved us in difficulty and danger, it is the business of the people to surrender all their vigilance, to repose complete faith in them, or in other words, to suspend the constitution, and to make the government of the country an armed monarchy. We are told that it is enough for the king to acquaint us that danger exists, and for us to declare that if it exists, we will put the country in a situation to resist it; we are told, I say, that it is enough for us to pledge ourselves at once to such bills as these; bills which impose upon the people greater

pecuniary burdens than any that were ever imposed for any purpose of government; this, however, we are informed we must do, or forfeit our pledge to the king.

Sir, the speech of the king I shall always consider, and it is usual so to consider it, as the speech of the ministers. They tell us there is danger of an invasion. I may be willing for a time to suspend any inquiry into the causes that have involved us in this difficulty and disgrace. I may be willing to suspend for a time an inquiry into the conduct of those who have brought us into this danger; but must I not know what it is? Must the mere bringing us into danger be of itself a sufficient claim to confidence? For one, I am of opinion, that from external causes there is no particular apprehension of an invasion; but still more am I of opinion, that if, under the pretence of strengthening the country, ministers are only doing as they have formerly done, strengthening themselves and their principles; if they are expressing their apprehensions of danger only to produce this effect, why then I should hesitate whether I would apply any remedy at all; but even should the danger really exist, I should hesitate much before I applied such a remedy as this. We are not, Sir, so young in the House as to imagine that, because we approve of the speech from the throne, we pledge ourselves to all the measures which the minister may think proper to adopt, or that the vote we came to upon the first day of the session, bound us to pass such bills as these. With respect to the bills, I see some parts of them more objectionable in their principle and provisions than others. Sir, the calling upon so many men in the country, the putting them under martial law, and under officers of the crown, without those safeguards which are contained in the old militia acts, and at a time when the erection of barracks all over the country evinces the system of separating the soldiery from the people, and according to the ingenious reasoning of some gentlemen, making the soldiers deaf if the people cannot be made dumb; Sir, the doing these things is a grievous hardship and oppression. It is no light thing to make the people imbibe military notions and military prejudices under officers of the crown, without any of those checks and guards, which, I repeat it, are contained in the former regulations relative to the militia. It has lately been too much the fashion to forget old prejudices and old principles. Sir, I have no difficulty, much as the term has been ridiculed, in confessing myself an alarmist. I am alarmed at the situation of the country. I believe that there is a faction in it, whose wish and endeavour are to increase the power of the crown, at the expence of the liberties of the people. I believed it in common, once, with those who are

now converts from that belief; who think now that ministers, whose measures they formerly so much reprobated, are so satiated with power, so glutted with patronage and emoluments, as to have lost all those marks and features that rendered them the objects of their former dread and detestation. I am not one of these; I am not one who think that the lesser evil is —and, good God! what is this lesser evil?—the fear of the liberties and rights of the people being lost in the power of the crown! With these feelings about me, can I be brought to think that raising such a force, as that proposed by the bill, is not a most alarming circumstance, to which nothing short of the necessity of risking every thing, could possibly reconcile me?

And now, Sir, a word or two on the bills themselves; and first, with respect to the present bill, by which men are to be raised in the different parishes. Without entering into the policy of the bill, I must contend that the general burden will be very considerable. Do I mean to contend by this that burdens ought not to be imposed in times of difficulty and peril? By no means; but if we are now to provide against an existing danger, we are not to provide against a general danger, but against a specific danger of an invasion of Great Britain by the enemy. Such is my opinion. Why then, I say, it does give me no good idea of the present ministers, when I see them always bringing forward false pretences. When I see them, under these bills, providing that the different parishes shall raise men, not for the specific purpose of resisting an invasion, but for general military purposes; when I see this, I must think that the real motive of the measure is not for domestic service, but for the purpose of carrying on offensive war abroad; and in this opinion I am a good deal influenced by what fell from a right honourable gentleman high in office (Mr. Dundas). I do not like to quote the words of any person in his absence, but, Sir, words that drop from ministers are not in the nature of expressions from common men; they come with authority and in an official shape. I cannot forget that right honourable gentleman's speech on a former night, when he said that the present plan was highly eligible, inasmuch as it would enable his majesty's ministers to prosecute the war abroad. If this be the fact, I would advise gentlemen not to be so active in their approbation of the measure. Do not be so impatient, as the right honourable gentleman has recommended you to be in your testimonies of support. You will have opportunities enough of voting hundreds, thousands, and millions, I have no doubt, for carrying on offensive war abroad. This, therefore, is what I complain of; and I cannot help thinking the present alarm with respect

to invasion, to be one of those pretences which ministers do not believe, but which they bring forward in order to get strength for purposes which they do not chuse to state. The bill for the raising a force of cavalry is objectionable in all its shapes. If an invasion were certain, I should object to it as impracticable and tyrannical, and as tending to lay such enormous taxes upon the people as would be almost intolerable. And at what period are we called upon for such taxes? Before the minister has opened what is usually called his budget. When, Sir, I consider the conversation that passed in the former part of this day, and the excess that has occurred in our expenditure, have I not ample reason to suppose that we shall in the ensuing budget be called upon to bear burdens equally heavy at least, with any that have been laid upon us in the former years of the war? When to those burdens, the burden that will be imposed upon the country by this bill for the raising an additional force of cavalry is added, I feel that I cannot consent to it without trying if any other measure can be adopted less oppressive in its operation, and equally effectual in its consequences.

The right honourable the chancellor of the exchequer, in recurring to what fell from my honourable friend, (Mr. Curwen,) has alluded to what he stated respecting his disbelief of the present alarm, because all former alarms propagated by ministers have been proved to be false. The right honourable gentleman contends, that that disbelief is against evidence, and contrary to the opinion of nine-tenths of the people. Sir, I remember when an inquiry into the existence or non-existence of any cause for alarm was demanded. That demand was refused. Should that inquiry ever be entered into, I maintain, that not only will it be found, that no reason existed for any alarm, but that ministers, when they called out the militia and summoned the parliament in 1792, disbelieved the alarm themselves. Sir, that measure of calling out the militia and summoning the parliament, will be a measure to be deplored to the latest posterity. It occasioned more rivers of blood to be shed and more treasure to be expended, than ever were shed or expended during the reign of that despot Louis XIV. On the subject of alarms, a great deal of ingenuity, and I think misapplied ingenuity, has been exerted on different occasions. Some gentleman were alarmed about the operation of French principles, and the consequences that would result in this country from the French victories. That being mere matter of reasoning, I have candour enough to believe, that though the danger appeared to me to be very trifling, if any existed at all, yet that persons who entertained those apprehensions

were sincere; but that is not the alarm we are speaking of. I am speaking of the calling regiments to the capital, and the fortifying of the Tower, as if an immediate insurrection were apprehended. Since that period, many innocent men have been arraigned by his majesty's government for high treason. However certain persons may be inclined to blame the want of diligence in the lawyers, I think no complaint will be urged against them for not bringing a quantum of evidence, and that too of a date considerably remote. Yet, though these lawyers had access to all the sources of government, though they ransacked and rummaged all the records possessed by administration, yet they never produced a single proof — I do not say to satisfy themselves — yet they never produced a single proof to satisfy the jury, that, when the Tower was fortified, any of those desperate traitors entertained such projects of insurrection as those that have been alluded to. I did not think that I should have been under the necessity of entering into these particulars this day; but when the right honourable gentleman says, that our belief is contrary to the belief of nine-tenths of the people, it becomes incumbent upon me to maintain, that no solid ground of alarm existed at the time when these extraordinary precautions were taken. I wish gentlemen to refer to the trials for high treason. I wish gentlemen to read them, and tell me if they find the slightest trace of that insurrection, affected to be so much dreaded in December 1792. Upon these trials some have expressed an opinion that they are the disgrace of the country; others have said that they contribute to its honour. Strange as it may seem, I agree in both those opinions. I think that they were disgraceful——

[Mr. Yorke here said, that he was obliged to call the right honourable gentleman to order, as he conceived he had wandered from the question, and if such latitude of discussion were indulged, the present question would not be decided that night. The Speaker said, that he conceived Mr Fox to be perfectly in order. He opposed the re-commitment of the present bill, upon the ground that the alarm of an invasion had been raised upon false pretences; a proposition which he illustrated by recurring to the history of former alarms. He admitted, however, that he was rather too particular upon some of these points; but he did not consider himself as called upon to interrupt him.] Mr. Fox in continuation——I am not quite satisfied, Sir, with the mode in which I was called to order. We have not yet imbibed such a detestation of equality, as not to have some regard for impartiality, and we have not yet established the custom of deciding by a hammer or a bell at what particular hour the debate shall be closed, however it

may sometimes be finished by a clamour for the question. I should not have alluded to the trials, had not an allusion been rendered necessary by what fell from the right honourable the chancellor of the exchequer. Our belief of the alarms is said to be contrary to the opinion of nine-tenths of the people. I do not think so; but if it were contrary to the belief not only of nine-tenths, but of nine hundred and ninety-nine out of a thousand, I should still be equally inclined to declare my opinion; but I should augur very ill indeed of the people, if I thought that they could resist such evidence as was adduced upon the trials. Perhaps I flatter myself that I am not in such a minority as the right honourable gentleman supposes. What I am in this House, I know not. What I am in the country, I am equally ignorant of; but I do know, that if I speak of that part of the country which I am best acquainted with, I have the good fortune to agree in opinion with a decided majority. When I was called to order, I was observing, that there was no ground for the original alarm in the year 1792. I was going to remark upon those trials, that the prosecution of innocent men was disgraceful to the country, and their acquittal honourable. How comes it that so many were acquitted? Because so many were prosecuted who ought not to have been prosecuted. Sorry I am, that I shall frequently have occasion to offend the honourable gentleman who called me to order, if recurring to past actions, in order to form my opinion of the future, be against the established rules of the House. The country, I allow, is in a situation of great difficulty, in a situation of danger, cruel danger, but not so much from any apprehension of an invasion on the part of the enemy; it is in a state of peril from which there is no way to extricate it, but by a retrospective view of the measures of ministers, and a judicial examinination of their conduct.

I have stated that the three bills are doubtful measures, even supposing extraordinary measures to be necessary. In 1794, after the great arming of the country, we were told that the force then embodied was sufficient to resist any invasion that might be attempted. What is the situation of the country now? An honourable friend of mine states that it is in a state of great internal quiet. In this opinion, as in most others, I perfectly agree with him, if he means that there is in the country a general love for the constitution. I have no doubt of it; the people are universally well affected to the constitution, I believe; but that they are more attached to the constitution as it is now, than as it was at the commencement of the war, I cannot allow. I cannot believe that I am one of those

"*eighty thousand incorrigible jacobins* *" whom nothing can reconcile to the monarchy of this country. So far from thinking their number to be so formidable, I believe that it will be difficult to find one of that description. But if those be incorrigible jacobins who detest the measures of his majesty's ministers, who are of opinion that their conduct has tarnished the glory of the country, and that they have conducted pusillanimously a contest which they rashly and unjustly commenced — who think that not only an inquiry into their conduct is indispensable but that a reform is absolutely necessary, in order to prevent the country from being cursed with such ministers as the present, if any such can ever curse the country — if these are the incorrigible jacobins, I am glad to hear that they amount to eighty thousand. I wish they amounted to eight millions.

The right honourable gentleman, who states that there is so much necessity for going into the committee, does not disdain, however, to give us some information. He says, that his apprehensions of the danger of an invasion are increased lately; and he said this in so emphatic a way, that I, for one, do not wish to press an opposition to the measure. If the minister really thinks that there is any danger of an invasion, I will not object to some increase of the militia force; but even in that case, I will only suspend my inquiry into the causes that have brought us into this danger. The right honourable gentleman, however, must be aware, that if an invasion is likely to be attempted in England, one system of measures will be necessary, which will not apply, if the invasion is likely to be attempted in another part. Let the minister state this, in order that the means may be adapted to the exigence. Suppose, for example, that Jamaica was in danger of being invaded, you would hardly think it necessary to adopt any precaution in Great Britain; the same observation will apply to parts nearer home. If any other part of the British territories is in danger, the measures calculated to repel that danger ought to be applied to that part, which is conceived to be particularly menaced. In observing upon the speech of my honourable friend, the right honourable gentleman said, with a

* "In England and Scotland, I compute that those of adult age, not declining in life, of tolerable leisure for such discussions, and of some means of information, more or less, and who are above menial dependance, may amount to about four hundred thousand. Of these four hundred thousand political citizens, I look upon one-fifth, or about *eighty thousand*, to be pure jacobins; utterly incapable of amendment; objects of eternal vigilance; and when they break out, of legal constraint." Burke's Letters on a Regicide Peace.

kind of triumphant air, that he admitted the general support of the people to the government. I heard distinctly what my honourable friend said, and I conceived him to express his opinion, not that there was a general support of the measures of his majesty's ministers throughout the country, but a general indifference; whether this is the same thing, I leave to the right honourable gentleman to decide. He must know that his only chance of support is from the indifference and lethargy of the country, and from their natural consequence, ignorance. Such kind of support, however, as this, can hardly, I should think, be as cordial and satisfactory to his feelings, as that which is the result of judgment and the effect of deliberation. When I consider the basis upon which the constitution stands, I confess that I consider this indifference as an alarming symptom. I hope it does not exist to any great extent; for sure I am, that the best security against an invasion will consist, not in the indifference of the country, but in its zeal, its firmness, and its unanimity. I understand the right honourable gentleman to say that there is a real danger: a miserable assertion this, by the way, for the House to proceed upon without more substantial evidence; but, however, the danger we are told is real. That such is the case, is matter of serious concern. Of the ultimate issue of any attempt at an invasion, I am as sanguine as his majesty's speech expresses; but I shall be more sanguine, in proportion as I see the people less indifferent to the constitution, as the minister found it, not as he has made it.

With respect to the bill in question, in consequence of the declaration of the right honourable gentleman, I shall not object to the recommitment of it; but unless it be materially altered in the committee, I cannot consent to the passing of it, because I do not think that it contains remedies adequate to the evil. The measure, as far as I have been able to learn, creates much alarm. I think it liable to objections, and I feel that I should not do my duty if I did not state those objections. The other bills appear to be defective in principle, and I cannot see any amendments that can reconcile me to them. One word more. The right honourable gentleman says, that a great danger threatens us. I agree with him in calling upon the people to resist an invasion on the part of France. Resist it, I say, with all your might. Be unanimous in your exertions: be vigorous in your efforts: draw your purses freely: contribute your personal labours cheerfully. But when I call upon the people to repel any attempt that may be made by France, I also call upon them not to be so alarmed at the danger as not to adopt such measures afterwards as may make the struggle beneficial to themselves. Let

them not struggle against France, only to yield to the artifices of the present ministers. My advice to them is, Be vigilant against the French, be vigilant also against the minister of this country, who has brought you into this situation of danger. Beware, that while you take measures to prevent your becoming a prey to the French, you do not become a prey to the minister. I say be vigilant against domestic as well as foreign enemies; but learn to distinguish who your domestic enemies are: you have been in prosperity, you now feel adversity. Judge not by the assertions of those who have robbed you of your rights; judge not by their comments; judge not upon presumptive evidence; but judge by your own good sense. Reflect upon your condition; consider how you were brought into it. The situation of your finances must shew you that it is paradoxical indeed, if you could have been brought into it without considerable errors (to use the softest word) on the part of ministers, for I wish to speak tenderly even of them in the present conjuncture. I hope you will judge, not from the assertion of those who brought you into the calamities you now feel; but that you will attend a little to the sentiments of those who opposed them in their mad career. I hope you have not quite forgotten the calamities which the American war brought upon you, and which you would not have suffered to any thing like the extent you did, had you not given to ministers confidence which they did not deserve. But, it seems, we who oppose ministers are not a tenth of the nation. Be it so; then ministers cannot complain that we have been any material impediment to them. This is their artifice, and I think I understand it pretty clearly. It has been always the trick of governments whose proceedings are unjust and foolish, to say, "Our measures were wise, but they were thwarted in much of their efficacy by opposition." I hope the public will not be the dupes of that artifice any longer. I hope they will discriminate between their domestic enemies and their domestic friends, and that they will not suffer their affairs to remain in that paradoxical situation which was some time ago stated, that ministers by their misconduct may have brought the country into such a state of danger, as to require that the people should continue to give them confidence, in order to prevent public ruin. Some may think, by a strange perversion of reason, that the same causes which conducted us to the brink of ruin, may ultimately lead us to safety; that folly and wickedness will in time have the same effect as wisdom and virtue; as it has been said that some animals can counteract their venom, by the repetition of their own bite. We must look for some such fabulous remedy in our misfortunes, if we give ministers any further confidence;

for it is too much to expect a relief from maxims of truth, if such is to continue to be our system.

Budget for 1797.—Terms of the Loan—Advances to the Emperor without the Consent of Parliament.

December 7.

THIS day Mr. Pitt produced his annual estimate of the public revenue and expenditure, with a demand of supplies, usually called the Budget. The sum total of the supply required for the year 1797, digested under the heads of army, navy, miscellaneous services, diminution of the national debt, ordnance, and deficiency of taxes, amounted to 27,647,000*l.* The ways and means, proposed by the chancellor of the excequer, for raising this supply, amounted to 27,945,000*l.* New taxes were to be laid for raising the interest of former debts to be liquidated, and sums now borrowed or anticipated to the amount of 2,110,000*l.* The interest on the loan was calculated at 6*l.* 15*s.* per cent.

The new taxes for raising the interest on public expences, contracted or to be contracted, being stated, Mr. Pitt said, that these were diffused over so many articles, that they would operate with equality, and yet not bear hard on the poor. By the production of the taxes it might be inferred, that the war had not materially injured the sources of our prosperity. Having explained the grounds of his estimates, as nearly as he could, both of the requisite supplies and the means of receiving them, he took notice of an expence of a particular nature that had occurred in the interval of parliament: an aid granted to the emperor. A sum of about 1,200,000*l.*, he believed, had been allotted to that prince. To have withheld this assistance would have been to sacrifice the best hope of this country of bringing the present contest to a fortunate issue. It was his intention, if this conduct should meet their approbation, to claim and solicit their confidence, in continuing the same system. He could not, for obvious reasons, propose any specific sum to be granted to his imperial majesty. But if they should think proper to repose the same confidence in ministers, in granting such occasional aid as they might see to be necessary, it should, on their part, be exercised with the same caution. He therefore proposed a vote of three millions, chiefly with a view of enabling ministers to make advances to our allies, if we should be compelled to persevere in the war. After Mr. Grey had impugned the chancellor of the exchequer's statements as erroneous and false, and his demands as unsuitable to the situation, and unnecessary to the true interests of this country,

Mr. Fox rose: — Notwithstanding (he said) the abundance of evidence which has been brought forward by my honourable friend, to prove the erroneous manner in which the chancellor of the exchequer has thought proper to treat the subject of this evening's consideration; notwithstanding also the opportunities which will be given of future discussion, I should not be satisfied that I had performed my duty as a member of parliament, were I to pass over this day without expressing some of those feelings which have been excited by hearing one of the falsest statements of finance that ever was brought forward; calculated merely to delude the people of this country, and accompanied with some political observations which are a libel upon the constitution — observations that I would sooner die than avow; for if the principles conveyed by them are true, the end to which they lead must be the downfall of this House and all its privileges, and the establishment of a dictator upon its ruins. I shall first, however, make some observations on what has fallen from the right honourable gentleman, relative to the subject of finance. It has ever been his boast, that in opening his budget, he has always come forward with plain and candid statements of the full extent of the charges to be made for the current service of the year. Upon more occasions than one, I allow this to be the case, and I have not hesitated to bestow my praises upon such conduct; but as to the business of this day, after the discussion that has taken place between him and my honourable friend, is there in the whole country so miserable a dupe, a being so corrupted and so entirely devoted to every measure of ministers, as to say that a fair statement has this evening been laid before us? It is unnecessary for me to enter into minute details. I wish to call the attention of the committee to principles. By the consolidation act (27 G. III. c. 13. s. 72.) it is provided, that a paper shall be laid upon the table of this House, with an account of the annual charges of the public debt, together with an account of the produce of the duties imposed, or of any addition that shall be made to the revenue for the purpose of defraying the increased charges. Now it appears, that, in fact, since the commencement of the war, the increased charges amount to upwards of four millions, and that taking the amount of taxes, after making allowance for the Spanish armament, the stoppage of the distilleries, and other necessary admissions, there is a deficiency in the provision made for these charges, to the amount of 80,000*l.*, but this does not appear in the paper officially laid before the House. But we are told, that were it worth while (let this expression be observed, "were it worth while,") all this could be explained in a most satisfactory manner. What does the right honour-

able gentleman mean? Will he dare to lay claim to the character of a fair and candid minister by barely telling us "what signifies what is the actual produce, my calculations are perfectly accurate, and that is sufficient." It may, and, indeed, it has been said, that, in stating this deficiency, many of the taxes have been taken only for part of the year, and some of them have not commenced. This, however, is not the case. I take them from the 5th of July 1795, to the 5th of July 1796; but let them, if you please, be taken from the 10th of October, and the conclusion will be found to be the same. But the right honourable gentleman farther says, that a deficiency may actually take place during the years of war, but that on the return of peace, and by the assistance of additional regulations, ample compensation may be made. If this be the mode of reasoning to be adopted, what is the use of this boasted paper of accounts? It is a mere form, a shadow. Let the deficiency be what it will, 80,000*l.* or one million, let the usual accounts be made up to satisfy the words of the statute, and let us leave the real deficiency to be afterwards provided for the best way we can, or by some peace regulations. What is this, Sir, but flying from duty, and turning the business of finance into insult and mockery? Such conduct, too, comes with a peculiarly ill grace from that right honourable gentleman. His inconsistencies upon the present occasion it is impossible to enumerate. I remember well, upon the subject of spirits, he was formerly of opinion, that the duty would be too great; but now it is impossible to raise it sufficiently high; and with the most astonishing facility of argument, both war and peace are to tend equally to render it productive.

It was ably contended by my honourable friend, that the navy debt was not *de facto* provided for; and what is the sort of answer we receive to this? "There is, or there may be, something like a deficiency, but look to my calculations, I can make it all right in point of figures, and, as to three, four, or eight millions of deficiency, I can provide for that some way or other." To make such excuses and observations as these may, indeed, cost little; but are they satisfactory, are they to be endured? Is this to be called a candid statement? Are we to look for truth in the investigation of the state of our finances, and to be merely entertained with the right honourable gentleman's conjectures, and imaginations? My honourable friend, in stating this actual deficiency of taxes to the amount of upwards of 80,000*l.* has taken the produce of the taxes up to July 1796; and he has fairly and properly demanded, that before the laying on of fresh burdens, this deficiency should be acknowledged and provided for, or at least

that in the mean time the House should not be insulted with the production of a paper which, contrary to fact, supposes this to be provided for already. To understand what I now urge, I only wish gentlemen to read that paper and judge for themselves. To come to a fair decision, I do not conceive it necessary to go back step by step, but to look merely at the sums total. But here, indeed, the right honourable gentleman might be inclined to interrupt me, and tell me as he has already told the House in his speech, that for the real produce of taxes we are not to look to a time of war; and yet with the same breath we are informed, that this has been so glorious and so fortunate a war, that our commerce, in point of exports and imports, exceeds any former period of peace, and that the old taxes are more productive than ever. If this be true, it is strange indeed, that while the war has not affected the old taxes, it should diminish the amount of those which are newly imposed. As to the exports and imports, my honourable friend has mentioned one curious particular, that one-fifth of the increased exports consists of the article of coffee, and in order to shew the committee the fallacy of any dependence upon such sort of statements, I remember that formerly the coffee exported in the custom-house books exceeded that which was imported; now, as no one could be such a fool as to believe that more of that luxury was sent out of the country than was brought into it, upon examining the cause of this apparent inconsistency, the mystery was explained by finding that the coffee exported was estimated at a considerably increased value. The right honourable gentleman, however, immediately informs us, that he reasons only comparatively from the present state of exports and imports. I observed nothing of that comparative reasoning in his first speech. The right honourable gentleman told us, in something of a commanding manner, that the exports of the present year would amount to 30 millions. The country, Sir, indeed stands in need of some comfort, and I should be sorry to diminish any of its substantial comforts; but if this increase of exports and imports be a source of consolation, as far as it goes, it has not been wanting at any period, except during some part of the American war. During the war under the conduct of Sir Robert Walpole, and also during the seven years' war, this increase was equally observable. I am not a person inclined to erect theories, but rather to oppose them if not confirmed by some sort of experience; but I have no doubt there are many persons who can give satisfactory reasons why exports and imports should increase in the time of war, generally speaking, and why the American war proved to be an exception. It may likewise be added, that such a proof of the flourishing state of the re-

niary concerns, I should like to try the effect of this mode of reasoning. Suppose, for a moment, that we were in a state of neutrality with regard to the French republic, and it was proposed that we should lend money to the French, would the minister say we should lend them money? Certainly he would not: and, yet, if good faith in pecuniary engagements is to be measured by heroic qualities, there are none to whom we should be more ready to lend our money; for of their valour they have given abundant proofs.

Mr. Fox then proceeded to state the situation of the emperor and the French at this moment, in which he maintained that with all the successes of the Austrians in the latter part of the present campaign, another could not be opened under circumstances of more advantage to the emperor, than those in which he had been placed at the commencement of the last. He here took notice of the recent successes of the French in Italy, and by way of answering the praises that were bestowed on the good qualities of the house of Austria, he instanced the cruelties that had been exercised on the unfortunate M. de la Fayette, which he said excited horror all over Europe.

Mr. Fox then proceeded to observe, that the minister had that night omitted the brilliant comparison which he had often made between the English and the French finances. The French had been stated week after week, and month after month, to be not on the verge but in the gulph of bankruptcy. He had omitted also to state that the French had, by becoming the allies of the Dutch, partaken of the sluggishness of the Hollanders. He did not know, he said, whether the French had passed the gulph of bankruptcy. He hoped they had, for while they were in it, they were most dreadful enemies to this country. But to return to the minister's calculation of events. He had, year after year, calculated upon the events of the war, and year after year the public had been misled by his calculations. At one time he was sure the navy debt would only be a million and a half; after that he calculated the same debt at four millions, then at six or seven millions, and now it was stated to be above eight millions. What security had the House and the public that the minister would not miscalculate in future, as he had already done, in the course of the present war? By his miscalculations he had added to the debt of this country one hundred and fifty millions. By his miscalculations rivers of human blood had been made to flow all over the world. The minister now talked of peace. He hoped in God we should soon enjoy that blessing; but as the minister was so fond of his own calculations, he wished he would some day or night sit down in his closet and

calculate what a sum of human happiness he had destroyed by his false calculations already; what a waste of human life he had occasioned, because he could not sooner discover that the French were "capable of maintaining the accustomed relations of peace and amity with other powers." He did not wish to distress the minister with any unseasonable applications, but he believed he should puzzle him a good deal were he to ask, at what period the French became more capable of maintaining the accustomed relations of peace and amity with other powers than they were at the moment when we entered into this contest.

Here Mr. Fox took notice of the great difference between the ministers of the Elector of Hanover and those of the King of Great Britain, with respect to the prudence of all powers making peace with the French republic. He had heard it often said, that the spirit of the people of this country was very great. He believed it to be so. He gloried in that spirit. But if the system on which this war was carried on was to be continued much longer, he had his doubts of the continuance of that spirit. A great people who saw hundreds of thousands of their fellow subjects fall, their national debt increased above one hundred and fifty millions, their credit sinking, the necessaries of life becoming, by their price, almost entirely out of the reach of the labouring class, and all this merely because one man, or a few men in the country made false calculations, were not likely to preserve their old spirit. Such were the evils which the minister had already occasioned by his false calculations! To these charges he hoped the right honourable gentleman would have an opportunity of answering at the bar of the public. He knew that every man who reasoned fairly would be deeply affected by these things. Every man who thought deliberately upon the subject would mourn over the hundreds of thousands of human beings who had lost their lives in this contest, because the minister of this country had miscalculated the power of the French; and what, in comparison with the loss of so many human lives, was trifling, but which, in other respects, was mightily important, was the accumulation of our burdens. The national debt of this country was now above four hundred millions. He had not calculated exactly what portion of it was owing to this war altogether; still less was he able to guess what part of it was accumulated at particular periods of the war; but he was now ready to declare, what he had often declared, and still oftener felt, that he thought this war unjust in its commencement, and impolitic in its progress, and he believed there was not one man of sense in this country, who had any wishes for its welfare, who did not

from his heart wish it was at an end. This he was sure was the general wish of the people of this country. It was the wish even of that House, else he was strangely deceived. This brought to his mind what had been recently published by a gentleman whose talents he always admired, and for whom, notwithstanding every thing that had happened, he had still great esteem, he meant Mr. Burke; that gentleman had lately published it as his opinion, that the minority in parliament speak the sentiments of the people of England at this hour, and that they have done so for some time past. On the subject of the war, Mr. Fox said, he had no doubt, that the minority spoke the sentiments of the people. On the subject of the war, at least, he would maintain that to be the case; he believed it to have been so ever since the time of Robespierre; but he would defy any man to shew that this was not the wish of this country only, but also that it was not the general wish of all Europe at this hour. He would go farther, and say, that in the opinion of Europe at large nothing had impeded the arrival of general tranquillity for a long time, but the opinion of the ministers of this country. All this arose from the miscalculation of the right honourable gentleman. However, that very minister now talked of peace; but let him consider on what terms we are likely to obtain it, and compare such terms with those which we might have obtained a great while ago, and then let him endeavour to sum up the mischief which his false calculations have brought, not upon this country merely, but also on all Europe. Perhaps he might think the Cape of Good Hope an equivalent for all we had suffered. If he did, neither his humanity nor his judgment were to be envied. He was afraid, he said, that there was no point to be stated in the resolutions of that night that brought in question the propriety of lending money to the emperor, without the consent of parliament, and therefore he could not manifest by his vote his opinion upon that subject. However, when it should come before the House, he should certainly meet it with his direct negative, for it was a violent and daring attack on the British constitution. It was essential for the House to come to a vote upon the question, Whether the minister was to be permitted to apply money for foreign alliances without the consent of parliament or not? and that we should know whether we were in a free country, or were mocked only with the name of freedom. He should say no more now upon this subject; but would take a future opportunity of delivering his sentiments with respect to the particular taxes.

The resolutions for raising the supplies were then put and carried.

December 8.

The resolutions of the committee of ways and means were this day reported to the House. On the motion "That the said resolutions be now read a second time,"

Mr. Fox rose and said: — It is not my intention, Sir, on this evening, to enter into any detailed argument upon the resolutions. Future opportunities will occur of discussing the particulars of which they consist; and it is my earnest wish that every member of the House may pay the most serious attention to the subject to which they belong, under a strong conviction, that the greatest exertions will be necessary to put the finances of the country in a proper situation. But this is not the point to which I propose, on the present evening, particularly to call the attention of the House. I wish them now to attend to the degraded situation in which the Commons of Great Britain stand, in relation to the executive government of the country. It will be easily perceived that here I allude to the 1,200,000*l.* which has been granted to the emperor by ministers without the consent of parliament — a grant which I contend to be directly contrary to positive law, and a flagrant violation of the constitution of parliament. I certainly should have expected, since the right honourable gentleman did not think it worth his while to apply to the House of Commons before he advanced such a sum to a foreign power, that when he informed them of the circumstance, he would have accompanied it with some explanation. But from the mode in which the money was given, as well as from the speech of the minister on opening the budget, I evidently perceive that the whole affair has been conducted, not for the convenience of ministers, or the advantage which they might imagine would result from it, (though, God knows, this would have been bad enough!) but that it has been done for the purpose of setting a precedent in the annals of the constitution, from which the public money is to be understood as lying at the disposal, not of the representatives of the people, but of the ministers of the crown. When I went home last night and reflected upon the various subjects which had passed under discussion, I must confess that I felt hurt at the idea of having appeared to give my assent to, at least at not having positively dissented from, resolutions which struck me as being so extremely unconstitutional. I considered myself as having been guilty of a neglect of duty, and as called upon by the relations in which

I stand to my constituents and to the country, to come forward this day and enter my solemn protest against a measure which I regard as an infringement of the rights of the people, and of the privileges of this House: for I should look upon myself as a traitor to the public were I to vote one shilling, or one man, for the service of the crown, without the consent of parliament. We have been in the practice of hearing for some time past, very warm and elaborate eulogiums upon the constitution of the country, notwithstanding all the wounds which it has lately received; and I always thought, that whatever differences of opinion might subsist upon some points, there were others on which we were all agreed. Though we might differ in sentiment respecting the preponderance of power in one branch of the constitution over another, and in affixing precise limits to each, I thought and believed that there was no man who would maintain that it was right and proper for the executive to usurp the legislative power; or, that it was just and lawful for the crown to supersede the office of parliament.

But, let us consider the nature of the transaction before us. Had ministers, when parliament was not sitting, found themselves called upon by an imperious sense of duty, dictated by a combination of urgent and unforeseen circumstances, to grant a certain pecuniary aid to the emperor; and had they taken the earliest opportunity upon the meeting of parliament, to submit the whole of the business to its consideration, then would have been the time for the House to pass a decision upon their conduct, after a candid and impartial review of the situation in which they were placed, and the motives by which it was fair to suppose them to have been actuated. But the present case is wholly different. In the course of the last three months of the last parliament repeated applications were made to them respecting their intentions of granting or withholding pecuniary assistance to the emperor; and, from the silence which they persevered in preserving on the occasion, it was natural to infer that they would not grant such assistance without the previous concurrence of parliament. In fact, however, we find that a great part of the money given to his imperial majesty has been granted without that concurrence, not during the parliamentary recess, but when parliament was actually sitting. If parliament had not been sitting, and ministers had thought it prudent to grant pecuniary assistance to the emperor, I say it ought to have been assembled for the purpose of deliberating upon it; but when parliament was sitting, in God's name, why was not proper application made to the House? Was it because ministers were afraid that the House wanted confidence in them?

The whole course of their experience taught them the contrary. No; it was because the right honourable gentleman thought himself better qualified to judge of the propriety of the time, and the extent of such assistance, than the House of Commons. I shall not dispute with him at present, whether he was or not. The constitution says, he was not, and under this authority he was bound to act. The constitution says, that the public money is at the disposal, not of the crown, but of parliament, and therefore he had no right to dispose of such a sum without the consent of parliament. I do not argue the point of his superior knowledge, or his superior wisdom. I think it fairer to stand upon authority; and when the constitution speaks precisely, as it does upon this point, neither he, nor any other man, has a right to resist its will.

The question now is, not whether the constitution be good or bad, whether this be a wise or unwise arrangement; it has its advantages, and it, no doubt, may have its inconveniences; but it was his duty, as the minister of a free constitution, to adhere to the principles which it has laid down, and to the rules which it has prescribed; the first and most important of which is, that the disposal of the public money is vested, not in the king, but in the people. When he violated this fundamental principle, and infringed this sacred law, what else can I infer than a desire to establish a precedent against the constitution? The circumstances which have accompanied the transaction justify the inference which I draw. I find from the accounts upon the table, that a considerable part of the sum was issued in November last. How, then, does the matter stand? Ministers finding themselves called upon to lend pecuniary aid to the emperor during the recess, the measure, instead of being laid before the parliament immediately upon its meeting, was studiously concealed for the purpose of holding out, as a precedent in the history of the country to be made known to Great Britain and to the world, that the disposal of the public money is no longer in the hands of the House of Commons, but that it is in the hands of the crown. We heard something like an apology yesterday from the right honourable gentleman, which, to me, appeared as unsatisfactory as the conduct which it was brought forward to justify is unconstitutional. It consisted of two parts: in the first place, that parliament was not so good a judge of the amount of the assistance to be granted to the emperor as the right honourable gentleman; and, secondly, that from the discussions to which the publicity of the transaction would lead, considerable mischief might have taken place. With respect to the first, it takes the point at

issue for granted, by supposing that an absolute is preferable to a limited monarchy; and that our free constitution would be much better were it transformed into a despotism. As to the danger to be apprehended from the publicity of the transaction, the pretence may be used upon other occasions as well as upon this, till at last we come to the old exploded argument, that the money of the people ought to be vested with the king's ministers, and not with their own representatives. In short, the right honourable gentleman tells you, he did not think it worth while to acknowledge you at all in the matter, because you were neither fit judges of the propriety of the quantum, nor of the period for granting the money. He takes care, however, that you shall finally be informed of it. But when? When it comes to be paid.

Let us see, also, from what fund this loan has been raised. One part of it has been raised upon a vote of credit, and another part has been taken from the money voted for paying the extraordinaries of the year, and of course certain services of which parliament approved, and for which it made provision, remain unpaid. In what situation, then, is the House of Commons placed? If they refuse to make good the debt, which I hope and trust they will, a part of the public service will remain in arrears. They are reduced, therefore, to this dilemma, either to discharge a debt, in contracting which they were not acknowledged, and for which they are not responsible, or by refusing to discharge it, to leave services which were sanctioned by their approbation unpaid. When we look back, Sir, one cannot help observing a peculiar train of proceeding. For the first time the budget was opened this season before the extraordinaries of the army were voted. I know the reason that is given for it is, that the budget was opened uncommonly early in the season. I would remind the House, however, that it was opened last year on the 7th of December as well as this year, (with this difference, that last year parliament had not been so long convened;) and yet the extraordinaries of the army were voted previous to the opening of the budget. This season the account was not so much as produced till the day of the opening of the budget, the more strongly to mark the precedent, and that it may be said in future times, that in 1796 the minister of the country, after having, of his own accord, granted a loan to the emperor without the consent of parliament, did not deign even to inform them of it upon their meeting; nay, that he kept back the account of the extraordinaries of the year, lest the House of Commons, by sanctioning or conniving at the measure, might in the least have weakened the precedent.

While I am upon this subject, I cannot refrain from re-

marking also, that last night for the first time, we heard that the country was at war with Spain. Every gentleman who is in the habit of reading the papers, must have seen that it is now some months since it was openly declared, that letters of marque had been issued, and that it had been announced by the Lord Lieutenant of Ireland; in short, it is only in their capacity as members of parliament that they did not know it till last night. I am aware that this may be defended upon the score of right, and that the prerogative of declaring war is vested in the crown. But how far it is gracious not to announce the exercise of that right to the House of Commons, is another question, especially when it is recollected, that the ministers of the crown are so little scrupulous about entrenching upon the rights of the people. To return, however, to the subject of discussion. Were I to put the question to any man at all acquainted with the constitution of the country, When expences are to be incurred, who are the best judges of the propriety of incurring them? he would answer, the Commons of Great Britain. And were I to add, When the propriety of incurring certain expences is decided, who are the best judges of the extent to which they ought to be incurred? he would not hesitate also to reply, the Commons of Great Britain. When we give up these two strong holds, the constitution is lost. What, then, are we to think of the minister who wrests them out of our possession? Or what will be said by future historians of that parliament which tamely gave them up without one syllable of remonstrance, or one threat of defiance? It is true, that the House have so far relaxed from the rigorous exercise of their privilege as to give a vote of credit to the minister that he may be enabled to meet unforeseen emergencies. This, however, has always been to a limited extent; but, in the present instance, the right honourable gentleman thought that we were as little qualified to judge of the extent of the assistance to be given to the emperor as of the propriety of giving it. He cannot surely pretend, that by twisting any vote of the last parliament he was at liberty to send pecuniary succours to the emperor. Notwithstanding the obsequiousness of that parliament, notwithstanding all the wounds which it gave the constitution, and notwithstanding all the evils which it has entailed upon the country, I much doubt whether it would have sanctioned a proposal for giving another loan to the emperor. But with regard to this parliament, I hope that it will vindicate its own dignity and importance at the outset, and shew the ministers of the country, that if they are advisers of the measures of the crown, the House of Commons are the guardians of the public purse.

If, on the other hand, they patiently acquiesce in the most daring encroachments upon their rights, what figure will they make in history, or how will they answer to their country for those liberties which they have wantonly sacrificed at the shrine of unprincipled ambition?

The right honourable gentleman last night expressed a hope that parliament would continue their confidence; but I trust he did not mean by this, that they will allow him to go on disposing of the property of the country without their consent; or if he does, I hope that in this, at least, they will disappoint his expectations. On the present evening I shall think it my duty to take the sense of the House upon every question, whether of supply or of ways and means; and if I succeed, I shall move on an early day, that his majesty's ministers, in granting a loan to the emperor without the consent of parliament, have been guilty of a high crime and misdemeanor. If, however, the House shall not think proper to agree with me on this evening, I shall defer that motion, conceiving that it would not be attended with success. I hope, however, that in this case the subject will be taken up out of doors; that the people will, in every part of the country, express their abhorrence of the doctrince last night delivered by the right honourable gentleman, and that the House of Commons will be obliged (I do not mean by force, but by the voice of the country,) to assert those rights which they have tamely and pusillanimously surrendered. For my own part, Sir, I consider this as a more serious attack upon the constitution of the country, than any that has been conveyed through the writings of Paine, or of any man whatever. The nature of a libel is explained by its tendency, to bring into hatred and contempt the constitution. Were I, said Mr. Fox, upon a jury, deciding upon any composition containing the speech of the right honourable gentleman last night, I would not hesitate a moment to pronounce it a libel upon the constitution: for if the doctrines laid down in it are constitutional, ours is a most vile and detestable constitution. Even after all the attacks which have been made upon it, and all the wounds which it has received, we would still have shed our blood in its defence; but, if this new defalcation is to be added to what we were formerly robbed of, I would wish to know what there is left to interest our feelings, or to stimulate our exertions. This will, indeed, be an incalculable addition to all the woes and calamities which the war has produced; and if, after what we have lost in money, in reputation, and in blood, we are also to submit to this oppression, the House of Commons is no longer to be considered as a branch of the constitution; and there will be little in our government to distinguish it from that of an absolute monarchy.

Mr. Fox's Motion of Censure on Ministers for advancing Money to the Emperor, without the Consent of Parliament.

December 14.

IN pursuance of the notice he had given,

Mr. Fox rose and said: — Notwithstanding, Sir, the importance of the subject of this evening's discussion; the apparent sense which the House entertains of its magnitude, from the general attendance which is given; the conversation which it has excited out of doors; and the decision which has been this day passed by a respectable public body * upon the measure to which it refers; notwithstanding, I say, all these considerations, I shall deliver the observations which I mean to make, by way of preface to the motion that I shall have the honour to propose, without trespassing for any length of time upon the patience of the House. And the reason is shortly this, that much of the argument has been anticipated, in the two debates to which the subject has already given rise. Besides, upon the fundamental point, or the principle which the question involves, I shall think it much more becoming in me as a British subject, and as a member of parliament, to assert rather than to argue, studious not to weaken the constitution, by stating as doubtful what it has recognized as one of its leading features. The grand principle to which I refer, Sir, is, that this is a limited and not an absolute monarchy, and that it is the peculiar privilege of the House of Commons, not only to levy taxes and impose burdens upon the people, but to judge of the whole expences of the state; as well of the mode in which they ought to be applied, as of the manner in which they ought to be raised. I trust that this general principle is so universally acknowledged, that I shall not be called upon to come forward in its defence. I trust that in these times, and in this House, I shall not hear a doctrine, which was received at an earlier period, and which I have since seen revived in writings lately published; that I shall not, I say, hear it contended, that the disposal of the public money is a secret which ought not to be entrusted to a public assembly, but that one or a few individuals are

* The Common Hall of the City of London.

much more competent to manage and direct the pecuniary concerns of the British nation than a British House of Commons. That an absolute government may be attended with some advantages which the government of a free state may not possess, I am ready to allow. But were I called upon to argue the question, (which I think is entirely foreign to the subject of this night's discussion,) laying aside all the blessings of liberty, and laying aside all the energy of character which it is so eminently calculated to produce, I think I should have no difficulty in proving, that, merely for the sake of external relations and for the purpose of carrying on wars, even upon this narrow ground, setting out of view all the collateral advantages of freedom, there is enough, *cæteris paribus*, to turn the scale in favour of a free constitution. This, however, is a question which I hope I am as little called upon by the sentiments of the House as by the subject now before us to discuss. I hope and trust that the principle of freedom is recognized as a principle of the constitution, and that, as a constitutional principle, it is received as just, politic, and wise. I presume, however, it will be contended, that though the principle be established, it is not invariable; that though it generally obtains in the management of the affairs of government, still it is liable to some exceptions. I certainly am not disposed to deny that it has been the practice of the House and of the constitution sometimes to deviate from the precise line of conduct which this principle prescribes.

It may be argued, and I do not contravene the fact, that, from the nature of our continental connections, and at a period when our arms are employed in foreign service, it is impossible precisely to state by estimate the amount of the expence of any separate measure, or of any particular line of operation. And hence it may be truly inferred, that extraordinaries have become necessary to be voted, to cover the expences exceeding the estimates which parliament has voted; and that even these being found insufficient to provide for incidental emergencies, it has been usual to pass a vote of credit to the minister, to be applied according to his discretion, to such unforeseen conjunctures as may arise. In either of the cases, however, it cannot be said, that the money is either levied or applied wholly without the consent of parliament, since, in the one case it voted the service and only mistook the estimate, and in the other, it voted the money, confiding in ministers for the wisdom of the application. And it must be remembered, that these are exceptions from the principle, not the act of the constitution; that they are necessary evils which can never be extended beyond the

necessity in which they originate, without some degree of criminality in the persons who multiply them. It is not very pleasant to quote a passage from the writings of an author even in his absence, but much less when he is present, particularly when he has not an opportunity of explaining his own sentiments. My respect for the author, in the present instance, however, is such, and the sentiments which he has expressed in the work to which I refer, seem to me to be so forcible and just, that I feel I should be doing injustice to my argument were I to refrain from quoting them. Most gentlemen, I believe, will have gone before me in supposing that I refer to a work, intitled, "Precedents of the House of Commons;" by a very respectable gentleman, Mr. Hatsell, one of the clerks of this House. The following is the passage to which I wish to call the attention of the House:

"Notwithstanding every precaution which can be taken to confine the expences of the different services within those sums, which, after consideration of the estimate laid before them, appear to the House of Commons to be fully sufficient, we learn from fatal experience, that this has been found to be impossible. In all the different services, the navy, the army, and the ordnance, there has always been an exceeding, or debt contracted upon each, which has been brought before parliament in a subsequent session, under the title of navy debt, or of extraordinaries incurred and not provided for. Formerly these exceedings were confined within some limits, as appears from the accounts entered in the journals during the war of the succession, and even in the war which terminated in 1748. In what is commonly called the German war, in 1758, these sums first became very large: but in the late war carried on in America, they exceeded all bounds. There was a degree of negligence, or extravagance, or both, in those who had the conduct of this department, which rendered all the votes of the House of Commons, or bills for appropriating the supplies, ridiculous and nugatory. The sums demanded upon the head of extraordinaries of the army, incurred, and not provided for during this period, fall not very much short of the whole sums voted by parliament, upon estimate, for that service."

Sir, Mr. Hatsell afterwards proceeds to speak of the transactions of the year 1734: "The general and unlimited power which was given by the resolution of the 3d of April, 1734, to the ministers to apply, out of the aids of the year, such sums as the exigency of public affairs might require, was a measure entirely subversive of those rules and restrictive forms of parliament, which the House of Commons have imposed upon themselves in the mode of granting supplies,

and was contrary to the practice, which had been wisely established since the Revolution, of appropriating the supplies to the services for which they had been voted. We see, therefore, that this proceeding did not pass without much difficulty and debate, and that soon after, another, and so far as it is limited, a better mode was adopted, which, though it gave the ministers credit for the manner of disposing of the money voted, confined that credit to a precise and special sum. This deviation, in times of war, from the usual form of parliament, can only be justified from the impossibility of stating, in an estimate, those demands which the unforeseen exigencies of extensive and uncertain operations may require; it is therefore incumbent on the House of Commons, not only to make this supply of credit as small as possible, but in a subsequent session to inquire into the particular expenditure of the sum granted, and to be assured that it is strictly applied to those purposes for which it was intended, and not squandered loosely, improvidently, wantonly, or, perhaps, corruptly."

I am happy to observe, also, that since this passage was quoted last year in another House (by the Marquis of Lansdown) the book has undergone a new edition, and that the author, in revising and republishing his valuable work, has seen no reason to alter his opinion upon the constitutional danger of granting large votes of credit, and of voting great sums under the head of extraordinaries, which might have been previously provided for by parliament.

Having laid down this principle, then, and admitted the exception, I hope I shall not be accused of pursuing an argument which would operate as an objection to all extraordinaries. All I contend is this; that they are an evil, but an evil which may sometimes be unavoidable, or in other words, that they are a mischievous exception to the principle of the constitution. The measure now before the House involves two questions: in the first place, Whether it was an expence fit to be incurred? and, secondly, Ought it to have been incurred in the mode in which it actually has been incurred, or to have been previously submitted to the decision of parliament? On the first question, I shall not enter into any discussion. And, after I have guarded the House against considering it as my opinion, I shall suppose on this day, that it was an expence proper to be incurred. With this caveat, then, let it be taken for granted, for the sake of argument, that it was a wise and prudent measure to remit 1,200,000*l.* to the emperor; yet we have still this important question to decide — Ought the sum to have been issue in the manner in which it was issued? In the first place,

it was not an expence respecting the extent of which we could have been uncertain. Had the remittances been numerous, and the services for which they were destined been of a very complicated nature, it might have been difficult to ascertain with precision the amount of the sum to be granted, but there could be no difficulty in determining the sum which it was proper for this country to grant either to the emperor or the Prince of Condé. I would beg to be informed why, after the country had been in the practice, year after year, of maintaining emigrant corps, when it was in meditation to send supplies to the army of the Prince of Condé, the intention was not communicated to parliament? Or why a precise estimate, which might have been very easily formed of that head of expence, was not submitted to the House along with the other estimates for the year? In the present case, to rank the expence in the class of extraordinaries, was in good truth to go the length of rendering extraordinaries absurd and ridiculous, and all the laws of appropriation nugatory and void. To apply the vote of credit to defraying this expence, was as strange and unconstitutional. When gentlemen are informed, that so early as December 1795, two hundred thousand pounds were issued to supply the army of the Prince of Condé, upon what vote of credit will they naturally suppose the money to have been raised? It must be considered as an unforeseen expence, else it ought not to have been placed to the account of the vote of credit. From what vote of credit, then, is it natural to suppose that an unforeseen expence occurring in December 1795, should be defrayed? One would certainly suppose from the vote of credit for 1795. No such thing. It was defrayed from the vote of credit for 1796. What, then, was the conduct of the right honourable gentleman? In February 1796, he came down to the House, and said, "After all the taxes which I have levied, and all the burdens which I have imposed upon the country, and grievously the people will, no doubt, feel them, they are not sufficient to answer all the exigencies of the state, and I must have credit for two millions and a half more to meet the occurrences of unforeseen services;" not, you will observe, to supply the deficiencies of former estimates, but to be applied expressly for the purpose of answering unexpected, but possible demands. But what does the right honourable gentleman do? The first use he makes of the vote of credit is to pay a remittance of 200,000*l.* to the Prince of Condé's army in December 1796, and of which parliament knew nothing. By way of illustration, I shall suppose that a gentleman was leaving his house in town to go to the country, or his house in the country to come to

town, and that he called his steward, and gave him a sum of money for the purpose of paying the servants their wages when they became due, and of paying the taxes when they were called for. The steward, we shall suppose, might say, "Sir, all this is very proper, but on an establishment so extensive as yours, many expences in repairs, charities, &c. may occur for which I am not provided." Well, in consequence of this representation the gentleman gives him 200*l.* or 300*l.* more. But what would he think of his steward, if, instead of keeping this 200*l.* or 300*l.* in reserve for unforseen exigencies, he applied the sum to the payment of debts which he had formerly contracted, and of which he kept his master ignorant? Not to use any coarser language, he would certainly consider him as a steward who was no longer worthy to be trusted. The analogy holds good in the conduct of the right honourable gentleman in applying the vote of credit for defraying expences formerly incurred, and which he kept secret from parliament.

This, Sir, is something, but it is not all. There were some suspicious circumstances in the time and manner in which the vote of credit was applied for. My honourable friend, (Mr. Grey,) who apprehended something incorrect, I remember well, was accused of being extremely suspicious, though his suspicions were certainly very far from coming near to the reality, if that could be called suspicion, which formerly, in parliamentary language, would have been termed a watchful jealousy of the conduct of administration. It was matter of surprise to my honourable friend, as well as to myself, that application should be made for a vote of credit at so early a period of the year; and admitting that it could be applied retrospectively, it was certainly not too much to expect that in the disposition paper which was produced in April, some account would have been given of the application of a sum which had actually been employed to cover an expence incurred in the preceding year. No such account, however, was given in that paper. Now, Sir, I ask, what was this but a direct fraud upon the public? Supposing, for argument's sake, that there was a difference between the money sent to the army of the Prince of Condé and the sums sent to the emperor; though there certainly was no material difference, for it signified little whether we supplied an army which the House of Austria must otherwise have paid and supported, or whether we sent money to the House of Austria to enable it to pay and support that army. I wish gentlemen to attend a little to the debates of the last session, and to the subjects of public discussion. They will recollect that there were several circumstances connected with the loan which attracted attention.

There is one circumstance which it is material to recollect; the terms upon which it was raised gave occasion to a good deal of discussion, and they were justified upon several grounds, one of which was, that we were not to consider it merely as a loan; that a quantity of navy debt was to be funded, and that there might be wanted a loan of three millions for the emperor. From this I certainly inferred, that if a loan was to be given to his imperial majesty, the House of Commons would be consulted, both respecting its propriety and extent; that ministers never would have taken it upon them to grant pecuniary succours to any foreign power without the consent of parliament; that those who were averse to the measure would have an opportunity of publicly opposing it; and if it was carried, that at least it would not be adopted till it had assumed a legal and constitutional shape. I heard it also rumoured, upon what I considered to be very good authority at the time, that there were some people connected with the bank who had stated the danger of sending so much specie out of the kingdom; and that there were many gentlemen who were acquainted with the financial state of the country who would have opposed such a step, not upon political grounds, but upon their knowledge of the state of public credit. In the course of the session questions were put to the right honourable gentleman several times upon the subject. The answers were not very decisive, but they led me to conclude, that if the measure was in contemplation, the House of Commons would certainly be consulted upon it, before it was finally adopted. Parliament was not consulted, and the period arrives when we find that money actually was sent to Germany.

And here, Sir, for the sake of argument, I shall also admit that it was expedient, that it was wise, that it was necessary to send money to the emperor, that it was necessary for the salvation of Germany, and that the salvation of Germany was necessary to that of Great Britain. This necessity, then, arose during the recess, and if they considered it as so imperiously urgent as not to admit of the delay of calling parliament before the money was sent, why did they not assemble parliament to inform the public of what had been done, and to petition for a bill of indemnity? Perhaps they will say, that that might be done as well at the usual period of the meeting of parliament; that after the money was granted, it was unnecessary to assemble them for the purpose of informing them of a measure already adopted; that when they sent the first remittance they had no idea of sending a second; and that when the second was sent, they did not conceive that a third would be necessary; and so on. Well: the 27th of September arrived, when the king had summoned parliament

to meet. One would have thought, that now their own time was come, that they would have condescended so far as to communicate the secret. But no such communication is made! Now, Sir, I ask how ministers, when parliament was sitting, could presume, clandestinely, to send money to the emperor without either informing or consulting the House of Commons upon the subject? I ask, if there be any possibility of answering the question to the satisfaction of the House of Commons of Great Britain, if they are not resolved tamely and pusillanimously to surrender the most sacred and important privilege that has been conferred upon them by the constitution? I trust that I shall not hear the argument which was employed in a former debate restated on this evening; that secrecy was observed for the purpose of restoring the credit of the country. This is too flimsy an argument to impose upon even the most superficial thinker. To what motive, then, is the conduct of ministers to be ascribed? I can account for it upon only one of two grounds. The first and most natural, I confess, appears to be, that it was their intention to take advantage of the universal satisfaction which was occasioned throughout the country by the successes of the imperial arms; to establish a precedent against the constitution, by disposing of a sum of money in an unconstitutional mode upon a favourite object, and thus to set an example to future ministers to employ the public money as their judgments may direct, or their caprices dictate, without consulting the wisdom or acknowledging the authority of parliament. The only other ground on which they can attempt to justify their conduct is, that the ministers of the king are better judges than the House of Commons of the propriety, the extent, and the period for executing any public measure. The right honourable gentleman knew for certain whether it was proper or improper to grant pecuniary succours to the emperor; he knew the specific sum which it was proper to send, and the precise period for remitting it: but, had the House of Commons been consulted, they would not have been proper judges; they would have been for sending either too much or too little; for sending either too hastily or too tardily. Such a defence, Sir, instead of extenuating, is an aggravation of the offence. I ask, if a British House of Commons will bear to be told by a minister, not only that he is a better judge than they are of the prerogatives of the crown, which he did with so much arrogance in 1784, but that he is the best judge also of the privileges of the people? If the case was difficult, why did he not come to the House of Commons for instruction? If the case was delicate, why did he not depend upon the wisdom of the House of Commons for direction? If Germany was to be saved by the money of the people of Great Britain,

why were not the House of Commons the saviours? I ask him, whether he believes that the House of Commons would have sanctioned a loan to the emperor, or that they would not? If he thought that they would, why did he not apply to them? If he conceived that they would not, why did he dare, not only to usurp their authority, but to trample upon their privileges; to dispose of the money of the nation, not only without the consent, but in direct contradiction to the will of parliament? It is pretty well known that I have no great opinion of the public spirit of the last parliament; and I do believe, that after what they did to extend the influence of the crown, and to infringe upon the liberties of the people; after their persevering support of a war, as disastrous in its consequences as it was unjust in its origin; after their blind and obstinate confidence in ministers, by whom they were deceived and misled, and after the grievous and intolerable burdens which they imposed upon the people; I do believe, I say, that the influence of the crown would have carried even this question. I am persuaded, however, it would have been attended with more than ordinary difficulty, and that parliament would at least have hesitated before they gave their assent.

But, will the right honourable gentleman pretend to say, that he was not aware during last parliament, that there would be any necessity for the measure? I ask him, when he considers the debt as having been contracted, whether, when the bills were drawn, or when the money was issued? If he considers the debt as contracted when the money was issued, the emperor might have received it all, excepting about 77,000*l.* as soon, had parliament been consulted, as he did when the money was sent without their concurrence. But, upon the other supposition, which is the more favourable of the two for the right honourable gentleman, that the debt was contracted when the bills were drawn, and that it was necessary that the bills should be drawn during the recess; was I, says the right honourable gentleman, to take the sense of parliament upon the payment of a bill after permitting it to be drawn? I answer, that he must still take the sense of parliament, when the question comes to be put upon the payment of the extraordinaries of the army; and that it is then in the power of the House of Commons, if not to stop the payment of that specific sum to the Emperor of Germany, to refuse to cover the deficiency which it has occasioned in the estimated service. One of the bills I find to have been dated on the 20th of May, and, if I recollect right, the House was prorogued on the 19th. Now, I ask, Did he not know, on the 19th, that this bill was to be drawn on the 20th? And if he did, which it was impossible but he must have done, I ask, when it was his in-

tention to send money to the emperor, why he concealed it? When he found that it would be necessary to call upon the country for pecuniary aid to the House of Austria, why did he not inform the public of the additional burden which they would be called upon to sustain? When he was compelled to have recourse to the House of Commons for support, why did he not ask that support in a constitutional manner? Supposing even for a moment, that the urgency of the crisis was such as to render it necessary to draw the bills during the recess, why did he not submit the matter to the House of Commons as soon as they were assembled?

Without entering at all into the question of the propriety of granting these succours, a discussion which I wish on this evening entirely to avoid, I cannot help making an observation upon the relation in which we stand to the House of Austria in pecuniary matters. In 1795, this country guaranteed a loan to the emperor of four millions and a half. There were many who doubted at the time the policy of the measure; and I recollect well that a noble lord urged in behalf of the good faith of his imperial majesty, that he had made good his first payment of the interest due upon the loan. I did not consider it as a very powerful argument at the time, because I knew that the money for the first payment of the interest was deducted from the capital; and I shall be still less surprized now to hear of his imperial majesty's punctuality in paying the interest upon that loan after we have remitted him 1,200,000*l.* which is three or four times more than any sum of interest which he has to pay to this country. I do not state this as a reason why parliament should withhold succours from the emperor, but I state it as an additional reason why ministers should be cautious of granting these succours without the sanction of parliament.

I have been often accused, Sir, of representing the constitution as in danger. Of these alarms I am willing to take all the shame, and to the crime, if it be any, I readily plead guilty. The oftener I think upon the subject, and the more experience I have of the conduct of ministers, the more I am convinced that my alarms are just, and my apprehensions well founded. Upon some measures which I have conceived to be dangerous to the constitution, I allow that there was room for difference of opinion. The question now before the House, however, is not, whether the attack is greater or less than those which have been formerly directed against the constitution. It is so bold and so daring, and so entirely subversive of the letter of the constitution, that if it meet the sanction of parliament, the question will be, not how far the constitution is injured, but whether or not we have any consti-

tution at all? It is upon these grounds that I am induced to bring forward the motion which I am about to propose. When it has been thought necessary to add new and extraordinary powers to the crown, to accumulate new descriptions of treason, to inflict cruel, barbarous, and unheard-of punishments; in fact, to institute something approaching to a military government, whether these innovations have been necessary or not, I think they are of such a magnitude as to have justified some degree of alarm. But if, in addition to all these new and extraordinary circumstances, there is to be added a direct attack upon the privileges of this House, and the sum of 1,200,000*l.* is to be disposed of by the minister, not only in augmentation of expences approved of by parliament, but without obtaining the consent of, or so much as acknowledging, parliament, I should be glad to know where there is the smallest safeguard of the constitution left, or what security we can have against the future encroachments, either of a minister, or of a prince, who may be disposed to make them? I am sure the right honourable gentleman cannot twist any provision in the vote of credit bill, so as to afford him the smallest pretence for making the application of it which he has done, and the expence can with less propriety be introduced among the extraordinaries of the army, since it might have been previously voted upon estimate. In both cases, whether the money has been paid from the vote of credit, or under the head of army extraordinaries, the right honourable gentleman has been equally culpable: in the one case, he has been guilty of a breach of trust, and in both he has acted directly contrary to the principles of the constitution. I move, Sir, that the act founded on the vote of credit may be read. [The act being read, Mr. Fox continued.] Some persons think, that in order to repair the breach of the constitution, a bill of indemnity ought to be passed: for my own part, I am not of such an opinion. I think there is no alleviating circumstance in any part of the conduct of ministers, to entitle them to such indulgence. When the subject was under discussion on a former evening, the right honourable gentleman, instead of soliciting pardon, came forward with a vindication of his conduct, and challenged the House if they dared to find fault with it. I think, therefore, that an act of indemnity would be improper, because the circumstances have been even a greater outrage upon the constitution (if a greater be possible) than the principle itself. I cannot conceive any more proper mode of acting, than for the House to express a plain intelligible opinion upon the measure. I know not what is their opinion, nor do I know the opinion of the public upon it; but this I do know, that he must be sanguine indeed who can hope that the

constitution can long survive such an attack, if the authors of it are suffered to pass without any mark of reprehension. Mr. Fox concluded with moving, "That his majesty's ministers, having authorized and directed, at different times, without the consent, and during the sitting of parliament, the issue of various sums of money for the service of his imperial majesty, and also for the service of the army under the Prince of Condé, have acted contrary to their duty, and to the trust reposed in them, and have thereby violated the constitutional privileges of this House."

Mr. Fox's motion was seconded by Mr. Alderman Combe, and supported by Mr. Sheridan, Sir William Pulteney, and Mr. William Smith. Mr. Pitt, in a speech of great length, endeavoured to shew, from parliamentary history, that the measure was not unprecedented nor unconstitutional. Mr. Bragge defended the conduct of ministers, and moved as an amendment, "The measure of advancing the several sums of money, which appear, from the accounts presented to the House in this session of parliament, to have been issued for the service of the emperor, though not to be drawn into precedent, but upon occasions of special necessity, was, under the peculiar circumstances of the case, a justifiable and proper exercise of the discretion vested in his majesty's ministers by the vote of credit, and calculated to produce consequences which have proved highly advantageous to the common cause, and to the general interests of Europe." After a long debate, the House divided on Mr. Fox's motion:

	Tellers.			*Tellers.*	
YEAS	Mr. Ald. Combe Mr. Wm. Smith	81.	NOES	Lord Carrington Mr. Steele	285.

Mr. Fox's motion was thus negatived; after which, Mr. Bragge's amendment was put and carried.

KING'S MESSAGE RESPECTING THE RUPTURE OF THE NEGOCIATION FOR PEACE WITH FRANCE.

December 30.

ON the 26th of December, Mr. Secretary Dundas presented a message from his majesty, acquainting the House with the rupture of the negociation for peace with France. On the following day, Mr. Pitt, after entering into an elaborate defence of the conduct of his majesty's ministers during the progress of the negociation, moved, "That an humble address be presented to his majesty, to return his majesty the thanks of this House for his most gracious message; and for having been pleased to lay before the

House the papers which have been exchanged in the course of the late discussion, and the account transmitted to his majesty of its final result:—to assure his majesty, that we cannot but deeply participate in the concern which his majesty (from his constant regard to the interests of his subjects) naturally feels in the disappointment of his earnest endeavours to effect the restoration of peace, and in the abrupt determination, on the part of the French government, of the negociation in which his majesty was engaged: but that it affords us the greatest consolation, and the utmost incitement to our zeal and perseverance, to observe the abundant proofs that his majesty's conduct has been guided by a sincere desire to effect the restoration of general peace, and to provide for the permanent interests of his kingdoms, and for the general security of Europe; while his enemies have advanced pretensions, at once inconsistent with those objects, unsupported even on the grounds on which they were professed to rest, and repugnant both to the system established by repeated treaties, and to the principles and practice which have hitherto regulated the intercourse of independant nations:—that, in this situation, persuaded that the present continuance of the calamities of war can be imputed only to the unjust and exorbitant views of his majesty's enemies, and looking forward, with anxiety, to the moment when they may be disposed to act on different principles, we feel it incumbent on us to afford his majesty the most firm and zealous support in such measures as may be most likely to bring this great contest to a safe and honourable issue; and we place the fullest reliance, under the protection of Providence, on his majesty's vigilant concern for the interests of his subjects, on the tried valour of his forces by sea and land, and on the zeal, public spirit, and resources of these kingdoms, which can never be called forth under circumstances more important to their permanent welfare, and to the general security and interests of Europe."—Mr. Erskine commenced a most eloquent reply to the chancellor of the exchequer, but was suddenly obliged to sit down, in consequence of indispositon. Upon this

Mr. Fox rose and said:—Sorry, indeed, am I on account of my honourable and learned friend, whose indisposition has suddenly compelled him to sit down; sorry for the sake of the House, whose information, from the train of argument which he had adopted, has been thus unpleasantly interrupted; and sorry for the cause of peace and Great Britain, which ministers, by their imprudent counsels and infatuated policy, seem determined to push to the last verge of ruin, that I am thus unexpectedly called upon to address the House on the present occasion. I feel it, however, incumbent upon me to step forward, knowing that my opinion on the subject entirely coincides with that of my honourable and learned friend who has just sat down, but lamenting, that in consequence of his indisposition, the argument on this momentous question must considerably suffer from the want of that ability with which it

would have been enforced by superior powers. I need not state, that the business before us is of the utmost importance; that the occasion is such, as, though we may not think it necessary to contemplate it with despair, we cannot survey but with the most serious considerations, and with feelings of the deepest regret. After a war of four years, which is stated to have been attended with many occurrences highly honourable and advantageous to the British arms, and to have been accompanied with no disgrace, after the immense expenditure incurred in the prosecution of hostilities, an expenditure, which undoubtedly has been greatly aggravated by the extravagance of those concerned in superintending the plan of operations, after an addition of no less than two hundred millions to the national debt, and of nine millions to the permanent taxes of the country; after an enormous effusion of human blood; after an incalculable addition to the sum of human wretchedness, so far are we from having gained any point or any object for which we set out in the war, so far are we from having achieved any advantage, that the minister has this night come forward in a most elaborate speech, and has endeavoured to prove, that the only effect has been, that the enemy have become more unreasonable than ever in their pretensions, and that all hopes of peace are removed to a still greater distance. We are now not allowed to hope for the restoration of peace, unless some change is wrought by the events of war. And at what period is this prospect brought forward? After a war of four years, which so far from having produced any favourable change in the disposition of the enemy, if we may trust to the representations of the right honourable gentleman, has only served to increase the insolence of their style, and the exhorbitance of their pretensions. The same necessity is still stated to exist for the continuance of the war.

It would, Sir, have been some consolation, if after the right honourable gentleman had stated at such length, and with such an elaborate display of eloquence, the exorbitant pretensions of the enemy, he had suggested some means of reducing them. But, good God, how striking is the contrast! In this speech of three hours, I find only one solitary sentence which is at all calculated to afford any hope of a satisfactory issue to the present unfortunate contest. And of what materials does the remainder of the speech consist? It is merely a revival of opinions by which we have been led on from year to year, and by which we have found ourselves constantly deluded. We are left in the same hopeless state with respect to the attainment of the object of the contest. The right honourable gentleman says, that he formerly gave a representation of the

deplorable state of the French finances from uncertain documents, but that he is now enabled to confirm the same representation from the most indubitable authority — the statement of the directory. I am apt to believe that the documents of the right honourable gentleman in both instances are equally authoritative. Formerly he proceeded on the speeches of leading members of the convention, and on official reports. He now grounded his statement on a publication of the directory. If his authority has failed him in former instances, what force can he now attach to conclusions drawn from similar premises. It has been found from experience, that in proportion as the finances of the French have been acknowledged, even by themselves, to be reduced to the lowest ebb, in the same proportion have their exertions been wonderful and unparalleled. Now the right honourable gentleman builds his conclusion of the certain ruin of the French finances on an immediate statement from the directory. I wonder that he does not go farther, and quote the very ingenious letter of Lord Malmesbury, in which he reports the conversation that took place between him and M. Delacroix. In this conversation the French minister is represented as having paid the highest compliments to the extensive means possessed by this country, as having described it from its internal sources of wealth, and from its colonies in the Indies, to be mistress of almost boundless resources. Thus, while the directory admit that Great Britain is distinguished by her wealth, and full of resources, they have no hesitation to acknowledge their o n poverty and embarrassments. They acknowledge to all Europe, that from the want of money, the army is considerably in arrears, and every branch of the internal administration under circumstances of the greatest embarrassment and distress. They at the same time allow to this country all the advantages of an augmented commerce, and of increasing opulence and prosperity. In this House we have heard France represented as sometimes in the gulph, and sometimes on the verge of bankruptcy; and it is rather curious, that at different periods we should have heard it alternately described at one time as in the very gulph, and at another as on the verge of bankruptcy. But, while they admit the ruined state of their own finances, what a striking contrast do their exertions in their present contest, and the success which has followed from their operations, afford to the conduct and fate of those who have been entrusted with the management of the war on the part of this country! Whilst we, in every quarter, which it was deemed most important to defend, have been losing city after city; whilst we have been equally driven from the possessions which we conceived to be

necessary to the security of our commerce, or to the balance of power, France, resourceless and dispirited, all the while avowing her own distressed situation with respect to finance, and talking in the most respectful terms of our wealth and resources, has been constantly adding to her acquisitions, and aggrandising her empire. France appears, in the present moment, as the conqueror of most extensive and important territories. Belgium is annexed to her empire, great part of Italy has yielded to the force of her arms, and Holland is now united to the fate of the republic by ties of the strictest alliance. If, indeed, these acquisitions could be regained to the cause of Great Britain and her allies by a lofty tone of argument, if the tide of victory could be turned by the dexterity of debate, and the efficacy of our exertions bore any proportion to the insolence of our boasting, we need not yet be afraid to claim a decided superiority. We are not at all deficient on the score of confident assertion or presumptuous menace.

But, Sir, it is by other means, and by another criterion that this question is to be decided. Weak and inconsiderable as I am in this House, I did my utmost previous to the commencement of this unfortunate contest, to persuade the government to send an ambassador to Paris, when undoubtedly he would have met with the treatment which an ambassador of Great Britain is now alleged to have experienced. But when ministers tell us, that this ambassador was dismissed in a way unexampled in the history of civilized nations, they surely must have forgot the manner in which M. Chauvelin was sent from this country. At a subsequent period, when the whole of Belgium was regained, when the French were not possessed of one foot of ground in that territory, did I then neglect my duty to the country? No! I then renewed my motion for peace. This was at the period before the powers combined against France had gained the fortress of Valenciennes; but when it was certain that it must fall, I contended that then was the period to make peace. And I now ask, if an attempt had been then made to negociate, whether we might not have expected to have obtained peace on terms as honourable and as advantageous as any which we can now possibly lay claim to? Again and again have I pressed upon the House the necessity and policy of adopting measures for the restoration of peace, and again and again have my motions for that purpose been rejected. In order to show how greatly ministers miscalculated the nature of the contest, at that former period when I argued for peace, it was said, "What, make peace before you have achieved a single contest, and when you are just beginning to make advances in the country of the enemy!" Such, at that time,

was the style of reasoning brought forward in opposition to the arguments which I urged in favour of peace. So widely were ministers then deceived with respect to the nature of the contest, so falsely did they calculate as to the turn of subsequent events! Unhappy calculation! Unhappy mistake! The object did not respect a particular branch of trade, or a limited extent of territory: the most important interests of the country were at stake. The ministers, by their calculations, were not pledging Jamaica, or any island of the West Indies; they were pledging Great Britain herself, the fate of which may in some degree be considered as depending on the issue of this night's debate. The right honourable gentleman, formerly, in talking of the nature of the contest, made use of a memorable expression, which cannot easily be forgotten. He intimated that the nature of the contest was such, that our exertions ought to be bounded only by our resources, and that our efforts must be extended to the utmost pitch, before we could hope for an honourable termination of the struggle. He expressly declared that we ought not to cease from the contest, till we should be able to say,

—— Potuit quæ plurima virtus
Esse, fuit; toto certatum est corpore regni.

The right honourable gentleman has stated the difficulties attendant upon the negociation, as arising from two circumstances; first, the difficulty in all cases of proposing overtures, without being able to ascertain what reception they are likely to experience; secondly, the particular obstacles from the relative situation of the two countries. The right honourable gentleman has, however, omitted to state a difficulty more weighty and insuperable than either of those I have now mentioned. In every negociation the difficulty of coming to any definitive arrangement must be infinitely increased, in proportion to the degree of distrust entertained by the parties with respect to their mutual intentions. If the right honourable gentleman had some reason to suspect the sincerity of the French directory, had not they at least equal ground to entertain the same doubts with respect to his views in the negociation? After every epithet of reproach had been exhausted by ministers to vilify their characters, was it to be expected that they would readily listen to terms of peace dictated by those ministers, except they were brought into that state of necessity and submission, which precluded them from any alternative, and compelled them to an unconditional compliance with any pacific proposition that might be presented to their acceptance? When Lord Malmesbury, in addressing the

French minister, so often brings forward his profession of high consideration, I cannot but smile, when I recollect that Lord Auckland was made a peer (for I know of no other reason for his advancement to that dignity), merely because he declared that the men who are now addressed in such respectful terms "ought to be put under the sword of the law," and because he denounced them as miscreants and traitors to all Europe*. His lordship, by this declaration, brought forward in a public capacity, shewed that he, acting on the part of Great Britain, was not slow to be their executioner and their judge.

Sir, there is one part of the address, which the right honourable gentleman has entirely omitted to notice, and to which I can by no means subscribe — that his majesty has neglected no proper opportunity to conclude this war. A few years ago, when I earnestly pressed the propriety of negociation, the right honourable gentleman contended, that the French were not capable of maintaining the relations of peace and amity. He neither, however, at that time, nor at any subsequent period, shewed any reason why they were not capable of maintaining those relations. I ask, in what respect they are now become more capable of maintaining those relations than when I formerly proposed to treat? Will the right honourable gentleman say, that then there was only a provisional government, and that there now exists a permanent constitution? I am sure that he will not venture to press that argument, as he must be aware of the extent to which it will lead him. And if such be the case, I have no hesitation to state, that the assertion in the address, that no proper opportunity has been omitted to conclude peace, is entirely false, and as such, must meet my decided negative. At last, however, the right honourable gentleman declares, that he felt it his duty to attempt negociation. I did not think it my duty to come forward to animadvert either on the motives of his conduct, or on the probable result of the measure, till the event had spoken for itself. The result has proved to be such as, however anxiously we may be disposed to deprecate it, it was not difficult to foresee from the mode in which it has been conducted. If the country, indeed, consider the administration of the right honourable gentleman to be a blessing, they must take their choice between the continuance of that blessing and the restoration of peace. It is evident, that those individuals who have conducted the war with such notorious incapacity, and entailed so many mischiefs on the country, must of all

* See Vol. 5., p. 84.

others be the most unfit to repair the errors of their own policy, and secure to Great Britain the enjoyment of permanent tranquillity. But not only have they evinced this glaring incapacity in the management of the present war, their conduct in former negotiations with respect to Spain and Russia has been such, as on the one hand to excite considerable distrust, and on the other to inspire a well-grounded hope of bringing them down from the loftiest pretensions to the most humiliating concessions. But what can be thought of their sincerity in the present instance, when they have repeatedly declared that any peace, under the particular circumstances, could only afford a breathing space from hostility, and ultimately must tend to redouble all the mischiefs to be dreaded from a continuance of the war? But even if ministers had conducted the war with ability as distinguished as their incapacity has been notorious, if they had displayed in debate as much temper and prudence as they have discovered impolitic and indecent violence, if they had shewn themselves as much friends to the French as on every occasion they have endeavoured to prove themselves the reverse; still I should have no hopes of peace on any permanent basis, except the present system of policy was entirely changed, and the principles upon which the war was undertaken totally disavowed. If the administration were to be transferred into the hands of persons whose abilities I admire, and whose integrity I respect, as much as I contemn and reprobate the talents and character of those who are now placed at the helm of affairs, still I should consider this change of system, and disavowal of principles, to be a necessary preliminary of peace. It is necessary, Sir, for the solidity of any peace that may be concluded, that maxims of sound sense and of impartial equity be recognised in the outset of the negociation. The present has been a war of passion and of prejudice, and not of policy and self-defence. The right honourable gentleman, whatever may have been his sincerity in the transaction, is no stranger to the advantages that may be derived from the idea of a pending negociation. That he now feels those advantages nobody will dispute. I know that some weeks ago a very confident report was circulated with respect to the probability of peace. It would be curious to know how far Lord Malmesbury at that period was influenced by any such belief. It does not appear from the papers on the table, that at the moment he could reasonably hope for a successful issue to his negociation. It seems doubtful, indeed, from the inspection of those papers, whether Lord Malmesbury was not sent over merely to shew his diplomatic dexterity; to fence and parry with M. Delacroix, in order to evince his superior skill and

adroitness in the management of argument, and the arts of political finesse; to confound the shallow capacity, and superficial reasoning of the French minister and to make the cause of this country appear to be the better cause. While Lord Malmesbury was employed thus honourably in the display of his talents at Paris, the minister had an object of policy to answer at home. It was found convenient for the purpose of financial arrangements to hold out the hopes of peace, till such time as it was found that the appearance of negociation might be renounced without any unfavourable effect, as to the supplies of the year.

But, in order more completely to ascertain the sincerity which has been shewn by ministers in the desire which they have expressed for peace, and the fairness of the means which they have employed for the attainment of that object, it may be necessary to enter a little more minutely into the history of the negociation, and to follow the right honourable gentleman through the long detail which he has brought forward on the subject, and which was sufficiently laboured to prove that he was aware of all the difficulties with which he had to contend in vindicating the character of the British government, and of the necessity of putting the most favourable gloss upon their conduct. The first step taken for the purpose of negociation was, the communication at Basle, in which Mr. Wickham had been engaged as the agent of the British government. As he was not authorized to take any definitive step, or to make any declaration binding on the government, but little stress could be laid on that circumstance. Those, however, who attended to the details of that transaction, would not be disposed, even in that early stage of the business, to draw any inference very favourable to the sincerity of ministers. The mission of Lord Malmesbury is unquestionably what ministers wish to be considered as the grand effort for peace, and as affording an unequivocal proof of the sincerity of their wishes for its attainment. Of the details of that negociation we are enabled to judge from the papers which have been laid upon the table of this House. Until the publication of his majesty's manifesto on the subject, I was only acquainted with the circumstances of that transaction from the statement of the public prints. I was not a little surprized when the manifesto reached me in the country, and from the perusal of its contents was induced to suspect that I must have been completely misled in my previous information. On the inspection, however, of the papers laid on your table, I was still more surprized when I found that the public prints were much more accurate in their representation of facts than his majesty's declaration. Never, indeed,

was there any paper brought forward with the stamp of official authority so little connected with the documents upon which it is professed to be founded; so little warranted in the conclusions drawn from its premises. It entirely conceals the most important facts of the negociation, and states the others so loosely as not to exhibit them in any precise and distinct shape. The right honourable gentleman has stated, that a degree of disrespect was in the first instance shewn to a foreign court by the French directory, in their refusal to grant a passport for a British ambassador, upon the application of the minister from the court of Denmark. But how does this fact stand? The court of Denmark did not at all interfere in the business. The Danish minister in the letter in which he applied for a passport, expressly stated, that he acted merely in a private capacity, and not in consequence of any instruction which he had received from his court. So much, then, for the alleged disrespect shewn by the French to a foreign court, and the inference which is thence drawn of a disposition thus manifested to throw contempt on all established usages, and to dispense with the ordinary forms of accommodation, and the understood civilities of political intercourse.

I understand, that as an apology for bringing forward the manifesto previous to the publication of the papers, much has been said of the mechanical labour of preparing those papers for the inspection of the House. I have formerly been in office, and I believe that those who are now engaged in the service of the department are fully as capable and diligent as the persons by whom I was then assisted. And I confidently declare that I see nothing in the mechanical labour of those papers that, if they had arrived on Saturday morning, ought to have prevented them from being in a state of readiness to be produced on Saturday evening. But I rather suspect, that with regard to the publication of the manifesto, it was thought expedient to attempt to give a bias to the sentiments of the House, before it was deemed advisable to submit the facts contained in the papers to their cool and sober investigation. As to the delay which has been imputed on the score of mechanical labour, I am rather disposed to believe that it was purposely interposed, in order to afford to ministers an opportunity of revising the papers, and of deciding what part of their contents it might be prudent to suppress, and what might be safely submitted to the public eye. It is curious to attend to the nature of the powers with which Lord Malmesbury was furnished, and to their connection with the object of his mission. He was sent in order to negociate for peace, and furnished with full powers to

conclude; but though he was thus authorized to conclude, he was allowed no latitude to treat. He had no instructions with respect to the terms he should propose, and no discretion upon which to act with respect to the propositions he might receive. When he was asked, if he came to treat for the King of Great Britain separately? he said, No: but that he came jointly to treat for the King of Great Britain and his allies. When he was asked, if he was furnished with any powers from those allies? he again replied, No. When he was asked, what terms he had to propose? he said he would send for instructions. Thus it appeared, that he was empowered to conclude for the King of Great Britain, but not qualified to treat; and that for the allies for whom he came to treat, he had no power to conclude. Could there possibly be a more ridiculous farce — a more palpable mockery of the forms of negociation?

We next come to the basis; and this, indeed, carries us but a little way in the progress of negociation. In this instance, the basis was laid so wide, as to comprehend no distinct object, and to be reducible to no precise meaning. It was that sort of general principle which no one could possibly dispute, but which could at the same time be attended with no practical benefit. The French accordingly stated, that they had agreed to your principle, and that they only disputed its application. The right honourable gentleman has asserted that a basis is always desirable; but then, it ought to be a basis which meant something, and not, as in the present instance, which meant nothing. The principle of mutual compensations is substantially recognized in every negociation, and did not require to be specified. The general objects of dispute in fixing a basis of negociation have been, whether it should be regulated by the *status quo ante bellum*, or the *uti possidetis?* The right honourable gentleman stated, as a proof of reluctance to negociate on the part of the French, that they for some time hesitated to admit our proposed basis; but, in fact, they virtually recognized the principle when they entered into the discussion of terms. He who asks, what you will give, or states what he is willing to receive, at once admits the basis of mutual compensation. But as a proof of the consistency of ministers, a fortnight afterwards, when the French formally recognized the principle, and asked Lord Malmesbury, what terms he was prepared to propose; he was unprovided with any answer, and obliged to send to this country for instructions. What inference is to be drawn from this conduct on the part of ministers? Is it not most probable, that by thus bringing forward a futile, illusory, and unmeaning basis, they expected to disgust the

French in the first instance, and at once to get rid of the negociation? And if the French, who must have felt themselves mocked by this treatment, and who must have been more and more assured of the insincerity of our ministers, had thought proper to stop all farther proceedings, would they not have been fully justified? On what principle were they bound to countenance a transaction which was conducted with no good faith, and could promise no satisfactory issue? Undoubtedly ministers expected that the French would resent the insult, and break off the negociation in its outset. They thus hoped to obtain an easy credit for their pacific intentions, and to throw upon the enemy the odium of determined hostility, and an unreasonable rejection of the preliminary basis of negociation. Unfortunately, however, for this project, the basis was recognized. The disappointment of ministers was evident. Lord Malmesbury was unprepared how to act, and obliged to send home for farther instructions. The question with ministers then became, "Since the French have so ungraciously and unexpectedly accepted the basis which we intended to be rejected, what can we find that they must be indispensably called upon to refuse? What terms of insult and humiliation can we find that may rouse their pride, and inevitably provoke rejection?" Lord Malmesbury, who before had no terms to propose, was now instructed to bring forward terms for the purpose of being rejected; and care was taken that they should be of such a nature as could not undergo much discussion, or readily to fail of their purpose.

I come now, Sir, to consider what was said by the right honourable gentleman with respect to the particular terms. In commencing this part of his speech, he thought some apology necessary for the sort of terms which had been proposed by Lord Malmesbury on the part of this country. He stated that it was always usual to be somewhat high in our demands in the first instance; that propositions at the commencement of a negociation were never considered as decisive, and that, in the progress of treating, we might relax from our original demands as circumstances should render expedient. But, was the right honourable gentleman so unfit for the situation which he held, so ill qualified to judge of the conduct which was proper for those times, as seriously to maintain this argument? Did he not recollect, that, from what he had himself stated, negociation itself might be considered as made upon a hostile principle? He had described it as a negociation, the unsuccessful result of which must tend to divide France and to unite Great Britain, which must give indubitable confirmation to the justice of our cause, and

add double energy to our future efforts. In this situation, and with this particular view, what wise man would have looked to the last precedent of negociation in order to regulate his conduct, and have conceived it necessary to proceed with all the tediousness of forms and dexterity of diplomatic artifice which might have been employed in any former instance? Instead of carrying your pretensions higher than you might be disposed to accept, you should have gone to the other extreme; you should have stated them at the lowest point of what you deemed to be fair and equitable, and, if any thing, have been rather below the mark of what you might fairly claim, than exorbitant and unreasonable in your demands. You would thus have secured the end which the minister professed to have in view — to render apparent to all Europe the equity and moderation of your own sentiments, and the injustice and ambition of the enemy. Had the French, from a suspicion of your sincerity, been inclined to break off the negociation in the first stage, they might have said, "As no basis has been agreed upon, we see that the negociation can come to no good, and therefore we will stop all farther proceedings." But when they acceded to your basis, and invited you to propose particular terms, it became you to be doubly careful, by the fairness and moderation with which you acted, to demonstrate the equity of your character, and vindicate your sincerity in the eyes of Europe.

I shall now advert, Sir, to the two confidential memorials. I confess that I never was more struck with the impossibility, even for talents the most splendid, and eloquence the most powerful, to cover the weakness of a cause, and supply the deficiency of real argument, than in the instance of what the right honourable gentleman said with respect to Holland. Even if Holland should be restored to its former situation, if the Stadtholder should be reinstated in the government, and the alliance renewed with this country, the right honourable gentleman does not go the length of saying, that even then he would restore to Holland all her former possessions. No: he might then, perhaps, only be disposed to relax in their favour a considerable part of the conditions on which the present state of things obliges him to insist. A right honourable gentleman (Mr. Dundas) some time since made a very imprudent declaration in this House — that as we had taken the Cape of Good Hope and Ceylon, we meant to keep them for ever. We feel ourselves, it seems, too nearly interested in those acquisitions to be disposed to relinquish them. This is reasoning very much *à la Française*. We say that it is better even for the Dutch themselves, that Ceylon and the Cape of Good Hope should be in our hands than in theirs.

The French may, with equal justice, allege the same pretence for their refusal to part with Belgium. They may say that it is more for the interest of Belgium that it should remain in their hands, than that it should be restored to Austria. But if Holland be not, in every respect, reinstated in her former situation, then, says the right honourable gentleman, we have nothing to propose. It is curious to remark, in the very moment that he is at such pains to represent the demands of the French as in the highest degree exorbitant and unjust, how much he countenances those demands by the style of his own pretensions. He says, "We have taken a great deal from Holland, they have taken nothing from us, therefore we are not bound in justice and equity to make them any restitution; but, if Maestricht, or some place, be ceded to the emperor for the security of the Austrian Netherlands, we may perhaps be induced to make them some restitution, but on no account can we consent that Ceylon or the Cape of Good Hope shall be restored." On the same grounds might the French say, "We have taken a great deal from the emperor, he has taken nothing from us, we therefore are not bound in justice and equity to make him any restitution: we demand that the *uti possidetis* shall be the basis of the negociation." What are the specific proposals which you make to the French? You propose to them to give up all their conquests to the emperor, and to evacuate Italy. The right honourable gentleman has said, that it is a strained geographical supposition, that by this demand with respect to Italy, it should be understood that they are also required to evacuate Savoy and Nice. I know not upon what geographical authority he proceeds, when he affirms that this would be a strained supposition. I always thought that these places had been in no other country but Italy; perhaps I may have been mistaken. You propose to the French to evacuate Italy, to give up the Milanese, Belgium and Luxemburgh; you demand of them to negociate the arrangement of peace with Germany, with his imperial majesty as constitutional head of the empire. And though the French are already at peace with the most considerable Germanic powers, with the King of Prussia, with the Electors of Saxony, Hanover, &c. you thus would place them in a situation in which they would have to begin all these treaties anew. You hint, indeed, that in consequence of this arrangement, which supposes on their part so great a sacrifice, it is not impossible that some cession may be made to them on the Germanic side of their frontiers. And in return for all the sacrifices you require from the French, you offer to restore to them Martinique, St. Lucia,

Tobago; reserving, however, one of them as an equivalent, if they are to retain St. Domingo.

The restoration of Belgium is stated as a *sine quâ non*; it has been represented to be of the utmost importance, that it should not be suffered to remain in the hands of the French. I should, indeed, regret to see Belgium attached to the territories of the republic; but if you are really sincere in your wishes for peace, if you consider Belgium as an object of so much value, do not offer brass for gold. Let us put the case, that Belgium was still in the hands of the emperor, how would you treat the offer of two or three West India islands, on the part of the French, in order that it might be given up to them? If you really wished France to give up Belgium, you should have offered to give up the Cape of Good Hope, which a determination has been so indiscreetly expressed to retain. I have no hesitation in saying, that it ought only to be considered as an instrument to procure the restoration of peace on favourable terms, and that if you could get a proper equivalent, you ought not to keep it. What you now offer is trifling indeed, and if France should comply with your demands, what would be her relative situation with respect to the other powers of Europe? She would, in that case, have given up Belgium, Luxemburgh and Italy, and farther it is required, that something should be ceded to the emperor, in order, as is stated, to render him secure on the side of the Austrian Netherlands. The three great powers of Europe will all of them be left with considerable acquisitions. The King of Prussia has gained a third part of Poland. Russia has obtained a considerable extent of territory from that unfortunate country; and, in addition to his share in the division, it is also proposed that the Emperor of Germany shall be put in possession of Maestricht, or of some other place. France is only to be left with Savoy, Nice and Avignon. Is the state of the war such as to justify this proposition? Is it fair and equitable that all the other powers should gain more than France? When Great Britain made a proposition so unreasonable, France naturally took a step calculated to give confidence to the people in those countries she had annexed to the republic, by declaring that on no account could she consent to give them up. In the ingenious conference which took place between the British ambassador and the French minister, Lord Malmesbury declared that the King of Great Britain would not recede from his demand with respect to the Netherlands. Must not the French, in consequence of this declaration, have been induced to assume an equally resolute tone with respect to their intention of keeping that territory, when, from the nature of the terms proposed, they perceived

no likelihood that peace could be had? As to the French minister having asked Lord Malmesbury to give in his ultimatum, it evidently meant no more than that he should make a formal declaration of what he had said with respect to Belgium; a demand which surely cannot be considered as unreasonable. After having heard this day so much stated of the value of Belgium, and such importance attached to the demand that it should be restored to the emperor, I cannot but recollect that it is not very long since the people of that country were in a state of rebellion, and that it was surmised at the time, that we were by no means averse to support them in their endeavours to shake off the Austrian yoke. But however great the value of Belgium may be, is it an object of such immense consequence as to justify the continuance of a long, a hazardous, and destructive war? Is it worth being contended for at the expence of such blood and treasure? And even if the objects be deemed so valuable as to justify all these sacrifices, there is another question to be considered. If, in addition to that expence and carnage with which the war has already been attended, it be proper to sacrifice a hundred millions more, and a hundred thousand men for its attainment, it ought also to be shewn that it is attainable by those means. From the experience of the past, who will pretend to say that a continuance of war and all its calamities will tend ultimately to bring you nearer to your object? It ought, beside, to be recollected that the emperor, who is your friend to-day, may be your enemy to-morrow. I remember that it is not eight months since the emperor was not so much a favourite with ministers; perhaps, indeed, they were cautious in expressing their partiality, lest it should be suspected that money was then going to the court of Vienna. At that time, the King of Sardinia was extolled as a pattern of fidelity to all princes: the emperor seemed to make no figure in the comparison. I do not mean to impute to the Sardinian monarch any breach of faith; circumstances of necessity compelled him to conclude a treaty with the French republic, and we have not heard in what situation he is now to be considered with respect to this country. Ministers have already sent large sums to his imperial majesty: we are are about to make still farther advances, and it cannot be calculated that the alliance can be maintained at an expence to the country of less than two millions annually. I mean no reflection on the character of the emperor; but if we should not be able to grant him the same assistance, he may be reduced to the same necessity as the King of Sardinia, and compelled to conclude a peace. When all these circumstances are considered, together with the sacrifices which must necessarily be incurred

in the attempt to wrest Belgium from the French, and the uncertainty of obtaining the object, the minister, who on that ground only shall refuse to make peace, has undoubtedly much to answer for on the score both of policy and humanity.

And here, Sir, comes the question of the treaty concluded with the emperor in 1793, by which we engaged not to lay down our arms without his consent. I greatly lamented the conclusion of any such treaty at the time, and then brought forward a motion, that it was the duty of the House not to approve of any engagements that might tend to create obstacles in the way of peace. If we urge the stipulations of a treaty, as a reason why we cannot conclude peace but on certain terms, we directly sanction the sort of argument which is represented as so unjustifiable on the part of the French. I certainly am no friend to setting up the constitution of France against the *droit publique* of Europe. But, are the French in their arrangements to consider the engagements of our treaties, as of greater weight and consequence than we affect to consider theirs? The right honourable gentleman has put the case, that supposing the French constitution decreed that the city of Westminster formed an integral part of the republic, were we bound to respect such a determination? The case may be retorted, that if we by our treaty with the emperor had stipulated to put him in possession of Paris, with what colour could so ridiculous a stipulation be urged as an obstacle to peace? We had no more right to talk of our treaties, than they of the regulations laid down with respect to their boundaries. If an absurd or impracticable condition is introduced into a treaty, is there not reason to suspect, that it has been foisted in merely for the purpose of throwing difficulties in the way of peace?

The right honourable gentleman has gone at length into the subject of the French constitution. He laid great stress on a remark of M. Delacroix, that it would be impossible to revoke the regulations of the constitution with respect to the boundaries of the republic without convening the primary assemblies. This, which he treated as an exaggeration of the proposition of the French minister, that it was impossible to give up any part of the territory annexed to the republic, I, on the contrary, consider in the light of an explanation, and as doing away all the offensive part of the principle. For instance, if the Prince of Hesse Darmstadt had applied to me, as a minister of this country, to conclude with him a subsidiary treaty, if I thought the measure advisable, I would have signified my readiness to acquiesce in his application; but at the same time I would have told him, that I must first consult the House of Commons, and that without their approbation the constitution

declared that it was impossible to dispose of any part of the public money. The same conduct I should have pursued towards the emperor, in making advances to whom, ministers, during the present session, have thought themselves entitled to dispense with the most valuable privilege of the House of Commons. And when, in this instance, I cited the constitution of this country, it could not be considered as a direct negative on the application, but only as throwing a difficulty in the way of the measure. We are not bound to respect the French constitution; but they, undoubtedly, in the course of negociation, may fairly urge any ground of difficulty which its regulations present to a compliance with our demands.

The right honourable gentleman has imputed to the French, all the odium and blame of breaking off the negociation. He says, that we are not bound by any thing as a *sine quâ non*, for that, in the nature of a negociation, is impossible until it is concluded. That, Sir, is easily stated in the course of a debate. But, whatever the right honourable gentleman may say upon the subject, the world at large, in judging dispassionately upon it, will regard the memorial of Lord Malmesbury as the *sine quâ non* of the court of Great Britain respecting Belgium. You say it may be recovered by force of arms. Good God! what is the probability of that event? What are we to do? What can we do? What security have we that we shall not sink in our prospects upon that event, and that they will not rise in proportion as we sink? Remember the time when Belgium was in possession of the allies, and it was proposed that we should enter upon a negociation for peace then, and at which time the French would have gladly attended to terms of peace of which they will not now hear. What, in the prosecution of this unhappy contest, are you to look for the farther you proceed, but terms still worse than those which you might obtain even now, if you gave proof of sincerity in the negociation? Consider what your disgrace will be if you fail to recover Belgium, which you have told the world is a *sine quâ non*. Are you prepared for all the hazards that may attend it? If you are, say so at once boldly, and act like men; but do not amuse the people of this country by a delusive pretence, as you did by an amendment, which you adopted, to get rid of the motion of an honourable friend of mine, and in which you stated to Europe that you would negociate with France when her government was capable of maintaining the relations of peace and amity with other powers*. I know that these little tricks and artifices have

* See Vol. v. p. 367.

had their ends. They have often, much too often, been employed to cover the dexterity of a debate; and in some situations they may almost appear harmless; but these little quibbling distinctions are not adapted to the important affairs of which we are now to consider. The minister, in ordinary cases, shall be welcome on my part to his little triumph in such little artifices: but these are not times to indulge him in them. He is not made for these times of great difficulty. When the fate of a question, comparatively indifferent, is before us, his talents are well adapted to obtain success, which, for my own part, I do not envy him; but when the fate of empires depend upon our proceedings, we should not give way to his vanity. These are times that require openness and candour, and a determination to look at the posture of our affairs in a bold and undaunted manner. Prevarication, subterfuge, and evasion, will not now do. The plain question now is, peace or war? However the right honourable gentleman may contrive to persuade the majority of this House, that his inclinations bend towards peace, I have no doubt, but the papers in the interest of ministers will hold forth to the public, that the vigorous prosecution of the war is the only measure which the country has left for its security. Members of this House, when they go into the country, will perhaps hold a different language, and tell their constituents that they do not hold themselves pledged to a continuance of the war. But it will not be believed. The *sine quâ non* with regard to Belgium, will overbalance the assertions of members of parliament. Parliament has not that credit which it once had—parliament does not deserve to have that credit.

There is, Sir, a generally prevailing idea, that the House cannot get rid of the decision of this day. The question is plainly, peace or war? The proposition of a negociation was said to be for peace: the present address is evidently for war. It will not be got rid of by any ambiguous shuffling, by way of amendment, as former motions in this House have been. An honourable friend of mine near me (Mr. Grey) some time ago moved a fact. The minister thought proper to decline it, but he did not dare to do it by a direct negative; he therefore got rid of it by a shuffling amendment. In consequence of the cavils of that day, one hundred millions sterling have been added to the national debt, and half a million of souls have been swept from the face of the earth. If the House shall be of opinion, that Belgium is really entitled to be regarded as a *sine quâ non*, that it is an object for which this country ought to continue at war, till it has expended another hundred millions, and shed the blood of half a million more of our fellow creatures; if the House is

of this opinion, it ought openly to declare it. If, on the contrary, the House should think with me, that this country ought not to expend such immense treasures of money and blood to obtain Belgium, in order to restore it to the emperor, who may, perhaps, in a short time, be no longer our ally; then let them act like men, and by some fair and unequivocal amendment, convince the country, that they will no longer be parties to such a dreadful waste of blood and treasure.

I now come, Sir, to what is said with regard to the breaking off the negociation, by making Belgium a *sine quâ non*. If it be true that Lord Malmesbury did this, I ask upon what ground it was done? Was the emperor a party to the negociation? Here, then, is a *sine quâ non* made in a matter intended solely for the benefit of the emperor, to which, nevertheless, he is not a party, and which we do not know whether he himself would absolutely insist on or not. Surely this might have been known before the negociation was entered upon. When we were so often sending such immense sums to the emperor, millions after millions, surely some person or other employed in those offices might have asked the question. Has any one done so? No. I ask any impartial man, then, if this is not a mere mockery? But, says the right honourable gentleman with great emphasis, why did not the directory present a *contre projet?* To whom should they present it? Was the emperor a party? No. They had, then, no one to present it to, for every thing contained in our *projet* was for the emperor's benefit alone. I agree with the right honourable gentleman as to the principle, that a people, who come into the power of another people by the chance of war, cannot, by the law of nations, be disposed of, lawfully, till the definitive treaty of peace is concluded; but this is very different from a people who are left at liberty to chuse a government for themselves, and who, after such liberty, voluntarily adopt the step of uniting themselves with their neighbours, and those who, perhaps, at one time might have claimed over them the right of conquest.

Sir, there is one thing very remarkable, that in all this negociation, where almost every possession of all the parties is taken notice of, one place should never once have been mentioned. The name of the valuable and important island of Corsica never appears in a single instance. Did ministers say when they took Corsica, You may form a government of your own, and be a free people? Did they offer to leave them to themselves? No; they sent a viceroy. Sir Gilbert Elliot went as a representative of his majesty, cooked them up a

constitution, half French, half English, and endeavoured to detach them entirely from any predilections they might be impressed with in favour of French principles. The French were, and always had been, represented by ministers, and those they employed, as a hoard of assassins. Suppose the Corsicans had said they chose the King of Great Britain as their king, and had desired, in the strongest terms, to be attached to the British empire as a part of it, and entreated that they might not be given up to this hoard of assassins; would you have said in a negociation for peace, that Corsica was an object of restoration? I fancy not. May not the French, then, use the same argument with respect to Belgium? On former occasions, when I said that the conquests in the West Indies would be a means of negociation, the right honourable gentlemen started at the idea. He then ridiculed the notion of a *status quo ante bellum;* he particularly alluded to Martinico, which he said was not to be considered like a conquest in former wars; that this island was taken at the particular request of the inhabitants of it, who all desired to be taken into the protection and allegiance, and to become subjects of his Britannic majesty. Martinico was, however, mentioned in this negociation, and the right honourable gentleman had gone off from his high language.

The right honourable gentleman has mentioned the breaking off the negociation as "a matter of disappointment, but not of despondency or despair." I certainly am not one of those who despair of the country. I very well know that we are not yet at the end of our resources; but I am certain that we are every day approaching nearer to it. If we had peace at this moment, I have very little doubt but, with economy in every department, a due regard to the finances, and to the encouragement of the commerce and manufactures of the country, we might still retrieve ourselves from our present difficulties; but if the war is to continue any length of time, God only knows what may be the dreadful consequences! Certain, however, it is, that peace cannot be obtained by a perseverance in the present system. It must be changed. I am not one of those who wish to alter the constitution: I wish only to reform it; to restore the voice of the people to that rank in it which it is entitled to hold; to make the opinion of the minister nothing; to see that of the people every thing. I am told, You wish for a removal of the present ministers. I for one certainly do. The country, in my opinion, cannot be saved without it. The people must chuse. If there are those who love the constitution under which they were born, and not the defacings of it by ministers, it is time for them to stand forward, to shew them-

selves, and by constitutional means renovate that constitution, which alone can save them and their posterity from inevitable ruin.

It has been said, Sir, that the breaking off the negociation was all owing to the unreasonableness of the enemy. I do not think so. They have taken advantage of the situation in which their great success has placed them. If they should be able to continue their successes; if they should in consequence rise in their demands; there must be great alteration in the conduct of ministers, or our situation will be deplorable indeed. I cannot here help reflecting on the period of the American war. Able men used then to say, "It is not our fault; we are not to blame; 'tis all owing to the unreasonableness of the enemy that we do not obtain peace." Infatuated and self-abused men! They were afterwards, fatally for the interests of this country, convinced of the folly of such arguments, and obliged to accept of terms far less favourable than they might have obtained, had negociations been entered upon long before they were. But, good God, Sir! what were the calamities then, compared to those with which we have now to struggle? What the prospect of extricating ourselves then, compared with the present? The contemplation of the difference is shocking. To America we had little to give but her independence, and the trouble of conciliating her lost affection; to France, Spain, &c. mutual restitutions. In the present case, we have no prospect but the continuance of the war; and the consequences of that are too dreadful to anticipate, farther than I have already done. There is one other part of the right honourable gentleman's political conduct, which strikes upon my mind at this moment, and which I cannot forbear to mention; I mean his entrance into parliament. This was towards the close of the American war. He began his parliamentary career by opposing it most vehemently, and soon after the majority which had carried on the war was put an end to, the right honourable gentleman complimented the Rockingham administration, and said, "You have destroyed the majority which carried on the American war; but you cannot be sure of having gained your end, if you do not strike at the root of the evil: there must be a radical reform, otherwise ministers may, on future occasions, arise, who will again plunge the country into more bloody and expensive wars than even that we have got rid of." The predictions of the right honourable gentleman have been now fatally accomplished. He himself has lived to become that very minister, whose anticipated misconduct he had so feelingly deplored, and no sooner did he become possessed of minis-

terial influence, than he used it more liberally than his predecessors had ever done, not only to prevent reform, but to stab the constitution in every vein, and to plunge us into armaments and wars far more prodigal, both in blood and treasure, than had ever been known before in the annals of our history. Sir, I shall not trouble the House any farther at present. I have already taken up too much of their time. Before I sit down, however, I intreat the House to give the subject the most mature examination. If they are not for the continuance of the war, I hope they will, like men, withdraw their confidence from that quarter, where it has been, in my opinion, so long misplaced, and vote for the amendment which I shall have the honour to submit to the House. Mr. Fox then moved an amendment, by leaving out from the word "result," at the end of the first paragraph, to the end of the question, in order to insert these words,

"Your majesty's faithful Commons have learnt with inexpressible concern, that the negociation lately commenced for the restoration of peace has been unhappily frustrated:

"In so awful and momentous a crisis, we feel it our duty to speak to your majesty with that freedom and earnestness which becomes men, anxious to preserve the honour of your majesty's crown, and to secure the interests of your people: in doing this, we sincerely deplore the necessity we feel, of declaring that, as well from the manner in which the late negociation has been conducted, as from the substance of the memorial, which appears to have produced the abrupt termination of it, we have reason to think your majesty's ministers were not sincere in their endeavours to procure the blessings of peace, so necessary for this distressed country:

"The prospect of national tranquillity, so anxiously looked for by all descriptions of your majesty's subjects, is at once removed from our view; on the one hand, your majesty's ministers insist upon the restoration of the Netherlands to the emperor, as a *sine qua non*, from which they have pledged your majesty not to recede; while on the other, the executive directory of the French republic, with equal pertinacity, claim the preservation of that part of their conquest as a condition from which they cannot depart:

"Under these circumstances, we cannot help lamenting to your majesty the rashness and injustice of your majesty's ministers, whose long continued misconduct has produced this embarrassing situation, by advising your majesty, before the blessings of peace had been unfortunately interrupted, to refuse all negociation for the adjustment of the then subsisting differences, although the Netherlands, now the main obstacle to the return of tranquillity, were not then considered by the French republic as a part of their territory, but the annexation of them solemnly renounced, and the peace of Europe offered into your majesty's hands, upon the basis of that renunciation, and upon the security and inde-

pendence of Holland, whilst she preserved her neutrality towards France:

"Your majesty's faithful Commons have further deeply to lament, that soon after the commencement of the war, when the republic of Holland had been rescued from invasion, and the Netherlands had been recovered by the emperor, at a time too when most of the princes of Europe, with resources yet unexhausted, continued firm in their alliance with Great Britain, your majesty's ministers did not avail themselves of this high and commanding position, for the negociation of an honourable peace, and the establishment of the political balance of Europe, but on the contrary, without any example in the principles and practice of this or other nations, refused to set on foot any negociation whatsoever with the French republic; not upon a real or even alleged refusal on her part to listen to the propositions now rejected by her, nor to any specific proposal of indemnity or political security, but upon the arrogant and insulting pretence, that her government was incapable of maintaining the accustomed relations of peace and amity amongst nations; and upon that unfounded and merely speculative assumption, advised your majesty to continue the war to a period, when the difficulties in the way of peace have been so much increased by the defection of most of the powers engaged in the confederacy, and by the conquests and consequent pretensions of the French republic:

"Your majesty's faithful Commons having thus humbly submitted to your majesty the reflections which your majesty's gracious communication immediately suggest, will proceed with unremitting diligence to investigate the causes which have produced our present calamities, and to offer such advice, as the critical and alarming circumstances of the nation may require."

Mr. Secretary Dundas answered Mr. Fox, and was replied to by Mr. Grey; after which the House divided on the motion, "That the words proposed to be left out stand part of the question."

	Tellers.			*Tellers.*	
YEAS	Lord Hawkesbury Mr. Canning	212.	NOES	Gen. Tarleton Mr. Jekyll	37.

STOPPAGE OF CASH PAYMENTS AT THE BANK.

February 27. 1797.

SO early as the month of January 1795, the directors of the bank of England informed Mr. Pitt, that it was their wish, "that he would arrange his finances for the year, in such a manner as not to depend on any farther assistance from them." These remonstrances were renewed in the months of April and July, in the

same year; and on the 8th of October following, they sent a written paper to the minister, which concluded by stating, "the absolute necessity, which they conceived to exist, for diminishing the sum of their present advances to government; the last having been granted with great reluctance on their part, on his pressing solicitations." In an interview, which took place on the 23d of the same month, on the loans to the emperor being mentioned, the governor assured Mr. Pitt, "that another loan of that sort would go nigh to ruin the country." And on the 9th of February, 1797, the directors ordered the governor to inform the minister, "that, under the present state of the bank's advances to government here, to agree with his request of making a farther advance of 1,500,000*l.* as a loan to Ireland, would threaten ruin to the bank, and most probably bring the directors to shut up their doors." With this cause, another springing also out of the war, powerfully co-operated. This was the dread of an invasion, which had induced the farmers and others, resident in the parts distant from the metropolis, to withdraw their money from the hands of those bankers with whom it was deposited. The run, therefore, commenced upon the country banks, and the demand for specie soon reached the metropolis. In this alarming state, the ministry thought themselves compelled to interfere, and an order of the privy council, was issued on the 26th of February, prohibiting the directors of the bank from "issuing any cash in payment till the sense of parliament could be taken on that subject, and the proper measures adopted thereupon for maintaining the means of circulation, and supporting the public and commercial credit of the kingdom at this important conjuncture."

On the 27th of February, Mr. Pitt presented the following message to the Commons from his majesty:

"GEORGE R.

"His majesty thinks it proper to communicate to the House of Commons, without delay, the measure adopted to obviate the effects which might be occasioned by the unusual demand of specie lately made from different parts of the country in the metropolis.—The peculiar nature and exigency of the case appeared to require, in the first instance, the measure contained in the order of council which his majesty has directed to be laid before the House. In recommending this important subject to the immediate and serious attention of the House of Commons, his majesty relies with the utmost confidence on the experienced wisdom and firmness of his parliament for taking such measures as may be best calculated to meet any temporary pressure, and to call forth, in the most effectual manner, the extensive resources of his kingdoms in support of their public and commercial credit, and in defence of their dearest interests."

Mr. Pitt having moved, "That the message be taken into consideration to-morrow," took that opportunity of giving notice, that he should at the same time move for a committee to enquire into the outstanding engagements of the bank, and likewise of their funds for discharging the same. Upon this,

Mr. Fox said, that although what had been just delivered by the right honourable gentleman could be considered strictly as a notice only of what he intended to bring forward to-morrow, yet at this eventful crisis he did not wish to allow a moment to pass without saying a few words. As to what might or might not be advisable to be done, he should now give no opinion. But with respect to the obligation on every member of that House, and every man in the country, to turn in his mind the subject, to employ the whole activity of his intellect upon it, and to form as good an opinion as he was able upon it, and that without the delay of a single hour, he thought that to give that sort of warning was his duty. The right honourable gentleman had said, he should move for a committee of inquiry into the circumstances of the bank. To a motion for such an inquiry, he should have no objection; it might be useful as far as it went. But he owned he saw the propriety of that House making an inquiry to a much greater extent. They should inquire, not only into the circumstances of the bank, but also into the circumstances which led to the present embarrassment. The right honourable gentleman had stated some things relative to the prosperous state of the bank, which he would dare to say were warranted, and which he hoped would be made manifest in the result of the inquiry. They should not, however, stop here; they should inquire into all the causes of this necessity; they should be possessed of all the measures that led to this most extraordinary and wholly unprecedented scheme to aid our finance — a scheme which no man could think of without shuddering.

With regard to what the right honourable gentleman had stated of the propriety of aiding the security of the bank notes, by pledging the faith of government to them, there appeared to him nothing objectionable in such a proposition. But there were in the minister's speech some general words which might be differently understood by different persons. If he thought that bank notes should be made legal tenders for public purposes, there might be but little, if any, difficulty in assenting to his proposition. But these were very general words, capable of being differently understood by different persons. If the minister meant to make bank notes legal payment from individuals to the public, that was a point liable of course to discussion, but against which he did not see the same objection as if he took the question in another view, for it would be only matter of policy to a limited expence. But if he meant to make bank notes legal payment from the public to the individual, if such a measure, he said, should become necessary, it was a measure which the House could

not think of without seeing that it must shake the very foundation of public credit.

What led him to this observation was part of the right honourable gentleman's speech that night, and something which he saw in papers which were now before the House. In the minister's statement of the matter, he had set forth the difficulties of the bank to answer, by payments in cash, for their outstanding engagements. The means of answering these engagements in that way formed the difficulty of the bank. He had no hesitation in assenting to what the minister had stated upon the subject, as far as payment was to be made to government: but when he came to reflect upon an order in council, and on the obedience which he saw the bank disposed to pay to that order, the subject became alarming. He did not say that the conduct of the bank brought on the necessity, but the thing itself appeared to him to be alarming, for the bank said they would pay government in bank notes, and that warrants on dividends should be paid in like manner. The warrants on dividends were the interest of the national debt. He was not now going to anticipate the measure which parliament should adopt upon the occasion, nor to discuss it at length; but parliament having passed an act binding the bank to pay the warrants on dividends, not in bank notes but in money, this was a very alarming proposition, and worthy of the serious attention of the House.

The king's message, together with the order in council, were ordered to be taken into consideration to-morrow.

February 28.

Mr. Pitt moved, "That a committee be appointed to examine and state the total amount of outstanding demands on the bank of England, and likewise of the funds for discharging the same, and to report the result thereof to the House, together with their opinion on the necessity of providing for the confirmation and continuance of measures taken in pursuance of the minute of council, on the 26th instant." The motion being read,

Mr. Fox rose and said: — Sir, when I consider the wonderful event which has this night been announced to the House for a second time; when I take into review the causes which have led to this extraordinary situation of affairs, and the effects likely to result from it; I confess that after the pause which has been afforded me for deliberation, I do not at all feel more sanguinely or more agreeably than I did on the first mention of the subject. The right honourable gen-

tleman has moved for the appointment of a committee for the purpose of inquiry, to which, if it was vested with powers sufficiently ample, I certainly should not object. But it might have been expected, and I for one did expect, that the minister, who had conducted affairs in such a manner as to call for the measure that has now been proposed, would not have been contented to pass so slightly over the nature of the crisis; but would have thought it incumbent on him to have given, at least, some general statement of those circumstances which have led to that situation of unprecedented embarrassment, in which we are now placed. Let us consider a little how he has proceeded, even in the first stage of the business. Every man who read the order of council must have been struck with the reflection that this was the first time a measure had been adopted by the executive government of this country to prevent the bank from answering the demands of its lawful creditors. The effect of the measure I will not describe by saying that it has impaired — for that is but a weak word on such an occasion — I contend that it has destroyed the credit of the bank. There is no gentleman so ignorant of the principles of paper credit, as not to know, that the whole source of the validity of this species of currency is derived from the circumstance of its being convertible into gold and silver. But when we learn, that ministers have not merely recommended to the bank to suspend all payments in specie, but have positively required them to adopt this measure, we must consider ourselves as placed in a very different situation with respect to the future state of our paper credit. If the thing itself was necessary from the circumstances of the times, still I do not approve of the mode in which it has been carried into execution. If the measure was indispensably requisite from the pressing exigency of the country, an act of parliament was surely the only proper mode of effecting the purpose. If the plea of urgency be brought forward, that was a consideration on which the House were competent to decide, and which must have impelled them, as in other cases, to lose no time in carrying a bill through the different stages. This House was that particular branch of the legislature, which it was of the most essential importance to consult on such an occasion. The neglect that has taken place in this instance is of the most mischievous example, and may be attended with the most fatal consequences at a future period. All those who have turned their attention to the paper credit of this country, must view with alarm, that the king or executive government have by the present measure claimed a power to annihilate by one breath all the property of the creditors of the bank. It

may be said, that such a power would be equally dangerous in any branch of the legislature. But surely the danger is greater from the quarter in which it has now been exercised. It has been found that wherever a power of this nature has been confided to a senate, or to a large body of men, it has presented fewer instances of abuse, than in those situations where the reverse has been the case. This conclusion is supported by the recorded facts of history, and the uniform testimony of experience. It has been proved that the stability of credit has always been better maintained in republics, than in those governments where it merely depended on an individual, or on a small body of men. Of all modes, then, by which the object could have been effected, the measure that has actually been adopted is the most pernicious in its principle and the most dangerous in its consequences. It will not be easily erased from the memories of men, or from the annals of the country, that whatever may be the vaunted theory of our constitution, whatever the nominal value of our rights, whatever the pretended security of our laws, one word from the king may have the effect to destroy one half of the property of the country. The order of council merely forbids the issuing of money; the paper, however, subsequently published from the bank, removes all doubts with respect to the nature and extent of the measure, and thanks are due to the directors for the explicitness they have manifested on the occasion. After expressing their intention to comply with the order of council, they proceed to point out the objects which the measure has in view. They declare that they will continue their discounts to the merchants in paper, and that they will also pay in paper the dividend warrants. Gentlemen may ascribe it to affectation, when I declare that I feel nervous in stating the probable effect of this proceeding; and the more so, as I observed that the right honourable gentleman, who has certainly more cause than myself to take a fearful interest in the issue of this transaction, seemed to experience a similar feeling to so great a degree, that he was unable to use his splendid abilities to afford to the House any satisfactory explanation of its objects and effects.

What, I ask, is the meaning of this measure? Though it has been declared by repeated laws, that faith is most solemnly to be kept with the public creditors, though you honourably declare that you will impose no tax on the interest they hold in the stocks; you now so strongly feel the exigency of your situation, that you are compelled to overlook the covenants of law and the obligations of honour, and to apply for a resource to the great depôt of national wealth. But it may be said that the dividends are still to be paid in paper. Is there,

however, any gentleman so ignorant as to conceive that there is any difference between refusing to pay the dividends in specie, and refusing to pay them altogether? Are not the terms of the contract, that they shall be paid in the current coin of the kingdom? With what pretence can you affirm that you do not tax the income of the stock-holder, if you break the terms of the contract, and compel him to take for his interest a compensation of less value than that which has been stipulated by solemn engagement? Does any man believe that he would receive at the present moment in the city a thousand pounds in cash for a thousand pounds in notes? You admit, then, that you are arrived at such a state of desperation, that it becomes necessary to violate all contracts. Suppose the dividends were confided to ministers to pay the expences of the army or navy, and that they gave to the holders certain paper on government security, would they be placed in the same situation as before with respect to the stability of public credit? So far as regarded the principle, ministers might as well at once confiscate their property for the use of the state. But it has been said, that emergencies will arise, which render it necessary to break through all ordinary restraint. Unquestionably, necessity furnishes that strong argument, to which no reason can be opposed; but it ought to be proved, that the emergency was of the most pressing nature, and capable of being clearly demonstrated. The minister who comes down and endeavours to prove to the House, that necessity has compelled him to this fatal and irremediable act of bankruptcy, ought at least to be prepared to shew that the necessity was occasioned by no fault of his own. Nothing of this sort has been attempted; we have only the assertion of the right honourable gentleman of the strong conviction he felt of the necessity of the measure; and it is incumbent on the House to determine whether they ought to be satisfied on the authority of his bare assertion that the danger has been fully proved, and that it could by no precaution have possibly been prevented. If we are to be satisfied on such authority, if we are to conceive an assertion a sufficient ground of confidence, what account shall we be able to give to our constituents of this new disaster that has befallen the country? Amidst the calamities and disgraces of former periods, we had still one ground of consolation in the sanctity of national credit. Every minister might say to parliament, and every member to his constituents, even at the most afflicting æras, "the public faith has been preserved." The inviolability of the principle sanctioned its future observance. But now we are even deprived of this last source of public consolation, this last prop of national honour.

With the feelings naturally impressed upon me by these reflections, I yesterday came down to the House. I must own that I did not then like some words that fell from the right honourable gentleman with respect to the order of council. A motion for inquiry is brought forward. The order evidently threw some slur on the bank, and as a proof that they felt so, the directors immediately published a paper which contained an assurance of the prosperous state of their affairs. Under these circumstances, it was natural and laudable that they should feel an anxiety for that inquiry, which was necessary to vindicate their own credit. Another reason assigned for the inquiry is, that the public are to be called upon to guarantee the security of the bank notes. On the first suggestion, I did not see any thing objectionable in granting this guarantee. As I have since, however, altered my opinion, it may be proper for me to say a few words on the subject. Every sanction given by the public to the credit of individuals, though for a time it may be attended with some advantage, will ultimately be found to be injurious and destructive. If the credit of the bank rests on that footing of solidity which has been asserted, it is better that it should still remain on the same foundation. The right honourable gentleman, however, thinks that even with the favourable opinion which is now entertained by the public of the credit of the bank, there would still be some advantage derived from the guarantee of the government. It is curious to hear from the right honourable gentleman this theory with respect to the advantages of guarantee. Happy would it have been for the country if he had not in former instances extended this system of guarantee to foreign powers. Without paying any compliment to the bank of England, I think its credit fully as good as that of the bank of Vienna. Without instituting any particular inquiry, I think we might as safely guarantee its security, as the security of some German princes, with respect to whom we have no means to ascertain either the obligations to which they are liable, or the funds which they possess to discharge them, and of whose good faith we are entirely ignorant.

If I thought that the committee would be empowered to go into all the causes which have led to this disastrous state of affairs, I certainly should not desire that the inquiry should be placed on a more extensive scale. The right honourable gentleman has, however, intimated that it is not his intention that the inquiry should be conducted in this manner. He has stated that there are some points of peculiar delicacy connected with an investigation of the state of the bank, and the disclosure of which would create great embarrassment. There is one distinction, however, to which it is material to attend.

While the credit of a corporation is entire, the public have no right to pry into their secrets; nor is it fitting that they should be made matter of investigation; but when once a failure has taken place, or a slur has been thrown upon its character, the best remedy for this unpleasant situation of its affairs, is to bring them into a state of the utmost publicity. When we hear, in the present instance, of some points of great delicacy, we must view them in comparison with those points of still greater delicacy which attach to this subject: and in this light what exposure of the affairs of the bank can possibly involve considerations of greater delicacy than a measure which goes to the extent of violating the national faith, and invading the property of the public creditors? The House are called to decide upon the merits of the whole transaction. To assist them in forming their judgment, it is necessary that all the concerns of the bank should be investigated. They ought to be enabled to pronounce how far the measure has been dictated by motives of imperious necessity: every circumstance which has been made known to the chancellor of the exchequer respecting the situation of the bank, ought also to be made known to the committee: all the grounds on which he has been induced to publish the order of council, ought to be laid before them: it is only from such full information that they can be enabled correctly to judge of the conduct pursued on the occasion. The nature of the case is such as immediately to demand the most particular investigation. For though there were eight members of the cabinet present at the council from which the order was issued, it is to be remarked that the responsibility chiefly attaches to one individual—the chancellor of the exchequer. Upon the representation of the chancellor of the exchequer of the unusual demand for specie, and the danger of a scarcity of that article for the purposes of the public service, was the measure adopted. Let me beg of you not to imitate the blind confidence of the lords of the council, and bestow your approbation on the mere representation of the necessity of the measure, but to have before you all the facts and arguments connected with the transaction, and to draw your conclusion from a full and impartial investigation.

The minister tells us, that he would not have taken the measure without feeling the strongest conviction of its necessity. He insinuates that the same conviction was experienced by the bank directors. Of the excellent conduct of the bank of England, I have not the least doubt; that many circumstances in that conduct are highly meritorious, I do not deny; still less should I think of denying that to the excellent conduct of administration, from time to time, since the revolution, upon

the subject of preserving faith with the public creditor, much of the prosperity of this country is owing. But am I, therefore, because they chuse to ask for it, to accede to measures that are wholly without a precedent, and that without understanding that there is to be a full inquiry into all the conduct of those who, in my opinion, have brought our affairs into their present condition? I, therefore, say, that if the House of Commons should allow this committee to be appointed, they will most scandalously abandon their duty, if they confine their inquiry to what the chancellor of the exchequer has this night stated. If the committee shall inquire into the state of the outstanding engagements of the bank, and what are their funds for providing for them, and shall stop there, I say they will shamefully abandon their duty. They must not be content with any measure, merely because in the opinion of the minister it is right; no, nor even upon finding that, in the opinion of the directors of the bank, that it is right. It is your duty to examine the grounds upon which these opinions are formed, and finally to form an opinion of your own. If ever there was a question in which confidence in ministers should be placed out of view altogether, it is this very case. Let us look at the case, and see what sort of a thing it is. Is it a case of treaty upon peace or war? Is it a case of negociation? No; it is a case of finance, and finance merely—a subject which at all times has belonged, and belonged almost exclusively to this House—a subject which, from its nature, is best considered in a public assembly. Will the minister himself get up this night and say, that administration are, on the face of things, exculpated for every thing that has lately happened to the financial concerns of this country? Will he say, that they have been punctual in the discharge of their duty upon that subject, and that it is not owing to them that we are in our present deplorable condition? Is it not notorious that the prizes of the last lottery were delayed in payment for a considerable time? Has not the public creditor thereby suffered? Has not the public credit of the nation been thereby diminished? Have not bills on government been protested; have not the holders been plainly told that they must wait for a considerable time; and have they not been obliged so to wait? Most unquestionably they have. And the reason assigned for all this delay in payment, has been fashionably called, the want of a sufficient circulating medium, but which, in truth, only proved our insolvency, and the inability of the minister to fulfil the promises which he so readily held forth. All his new schemes of finance have only contributed to bring on the evil which he has from time to time pretended to remove. Is it not noto-

rious that he has rejected all the advice that has been given to him from time to time? He pretended to do away all the evils that arose from the increase of our unfunded debt, evils which we all felt, and for which certainly a remedy was necessary. But what was the effect of his pretended remedy, and what has been the result of his conduct since he pretended to provide against the mischief? Why, that he has so miscalculated the wants of government, or from time to time so mistated them, that he has been obliged to provide for the sum of twelve millions, after assuring us that no farther money would be wanted for the funding of the navy debt; and after all these assurances from time to time, that he was making ample provision, the navy bills at this very time are at a higher discount than they were at any former period.

Sir, I come now to another point. The directors of the bank often told the right honourable gentleman what the effect would be of his sending such vast sums of money abroad. They remonstrated against such conduct. I will not enter upon the detail of the advice that was given to him at these times; but we all know, and now feel the effect of, his conduct; *for he sent money abroad, not only in defiance of the remonstrance of the bank, but against the spirit and letter of the constitution.* Such has been the conduct of the chancellor of the exchequer; and I do say, we are now called upon, by the duty we owe the public, to give no farther credit to him for his statements in any public affair of finance; more especially upon the subject which is now before us. It is a subject on which this House ought not to place confidence in any minister, because it is a subject which we ought most scrupulously to examine for ourselves. If the best minister that ever managed the affairs of this country were to ask for confidence in such a case as this, it would be the duty of this House to withhold it. If the right honourable gentleman's father, in the course of the seven years' war, when his measures led to the most brilliant victories, had come to this House to demand such confidence as the minister seems to ask by the speech which introduced the motion which is now before you, I believe, that notwithstanding all the esteem which that illustrious statesman deservedly enjoyed, the parliament would then have had virtue enough to refuse it to him; but he had too much regard for the constitutional privileges of this House, to ask for such a confidence. What, however, would have been denied to the virtue, the wisdom, the eloquence, the glory of that minister, had he asked it, is now, I fear, to be given to a minister who has disgraced himself, and ruined his country. The House, if it means to have any credit with the people, must not confide in any man, but

examine the real state of public affairs, control the executive power, and institute minute inquiry, into all the circumstances that have led to the calamitous condition in which we are now placed. We must take care that the man who has brought us into this deplorable state shall not be permitted totally to ruin us. If we do not do so, the most candid manner in which we can act towards the public is, to declare at once that we are persuaded the care of this country is grown above the cognizance of the House of Commons, and that we chuse to give it up entirely to the direction of the king's ministers; in which case we shall plead guilty to all the charges that have been exhibited out of doors against us; that we are not the representatives of the people of England, but the servants of the minister of the crown; that it is true, indeed, the theory of the constitution of England is beautiful, but that its practical utility is at an end, as far as regards the functions of the House of Commons, for that now they implicitly commit to the minister of the crown all control over subjects of finance. Let me ask, if this must not be the inevitable conclusion of the people of this country, if you do not enter upon a full inquiry into this subject? Let me ask, if this be not a case for inquiry, what case can possibly be called so? Let me ask, what case can be more violent, and less warrantable by law than the present? Let me ask, if ever since the Revolution there was proposed a measure more fraught with danger to the credit of this country? Let me ask, if any minister ever existed who had less claim to confidence, and whose conduct called more for the jealousy of this House than the present minister? If, after you have turned these questions in your minds, and have agreed what answer ought to be given to them all, you still confide in the present minister, I will then say you will deserve every thing that has been said against you, for you will, indeed, be a House of Commons that has surrendered all its functions to the will of the minister of the crown.

There has been a custom, I confess a very laudable one, to speak well of the navy. It certainly is a service to which the people of this country are prodigiously indebted, and we cannot have too much tenderness for the character of our naval officers, and yet we find it to be the uniform practice of this country to call to a court martial every officer who has been unsuccessful to a certain extent, however meritorious his conduct may have been. Now let me ask, if this be the case with regard to our favourite service, what should be the conduct of this House when the minister of the crown has been guilty of mismanagement in an alarming degree? What should be the conduct of this House when a minister issues a proclamation in the name of the privy council to destroy the public

credit of this country? Let me ask what should be the conduct of a House of Commons towards him who is at least *primâ facie* a culprit before them and the public, — who is certainly in the situation of an accused person? I think it is not difficult to answer these questions. If there are any who hear me who think that I say this from personal rivalship, they are welcome to charge me with it; they do not know my nature; those who do, will bring no such charge against me. If, however, to charge a criminal minister, in order that an inquiry may be made into his conduct, be a crime, then I am content to be called a great criminal. Let me ask, what is the credit of this nation, if a proclamation, dictated by a minister, is to set aside the provisions of solemn acts of parliament? Long, long experience has taught us, or should have taught us, that punctuality and good faith are the foundations of credit; that credit can have no existence independent of good faith. It has been said, more that once, that we are to trust to Providence in our affairs. It would be a miracle which I have never yet heard that Providence has performed towards man to give credit to those who have no faith. On the 27th of February 1797, for the first time since the Revolution, an act was done in the king's name which has struck at the foundation of the public credit of the country, by seizing the money belonging to individuals, deposited in the public treasury of the public creditor; and afterwards withholding and refusing payment of that money. What can now restore that public credit? Will any man say he knows the remedy for this? If it shall appear that ministers have acted prudently, according to the pressure of the case; that they acted wisely; that they have acted œconomically; that they looked forward to all the consequences, as far as human prudence could foresee—then I am willing to allow there is no man can blame them, however calamitous our condition may be. If they can shew, contrary to the *primâ facie* evidence of the case, that they have not been to blame, they must be absolved; but that is no reason why we should not have a full inquiry into the matter: on the contrary, it is a very strong reason for such inquiry; and they themselves are deeply interested in having it instituted. But, if it should appear that this crisis has not been brought on without guilt on their part, it must be absolutely for the credit of the public that the truth of the matter should be made manifest to the world. If you shun this inquiry, what will be the consequence? I will suppose, for the sake of argument, that the whole of this measure is the result of inevitable necessity. I wish, then, to know what the public creditor is to think. He will deliberate thus: Although in the year 1797 the minister

struck unavoidably at the public credit, yet what happened in the House of Commons? That in pursuance of a full inquiry it was found to be an act of inevitable necessity, and could not have happened under any other plea? No; it passed upon the assertion of the minister that it was an act of necessity, and there was no inquiry; therefore some future minister may be wicked, although the present one is virtuous, and may take this as a precedent, and call that inevitable necessity, which, in truth, will be only an act of convenience to him, and under that pretext appropriate the property of the public creditor to the use of government; so that without a full inquiry into this matter, you can never restore confidence to the public creditor. On the other hand, if this is the result of the misconduct of the minister, you should declare it to be so, and by the punishment of the delinquent shew the public you take care of their affairs. These are the only two ways in which you can restore the confidence of the public creditor.

Let us now see what has been the conduct of the present minister in the course of this war, upon the subject of finance. Have any three months passed in which he has not produced some new expedient? And have they not every one of them, without a single exception, proved erroneous? Good God! Sir, let us look at the situation of this country! Year after year the minister has been amusing us with his ideas of the finances of France — now on the verge, now in the gulph of bankruptcy! What computations upon their *assignats* and their *mandats!* They could not possibly continue. All perfectly true. But the misfortune is, that while he was thus amusing us, he has led us to the very same verge, aye, into the very same gulph. While he thus declaimed against the finances of France, and predicted truly as to the issue of those expedients, he fell miserably short of his conclusion, that these considerations would put an end to the energy of the French. Their rash expedients have not put an end to their energy; and, perhaps, these rash expedients will not make us a prey to a foreign invader. But, are we to follow their expedients on that account? By no means. We are not in the same relative situation with regard to the rest of the world. We depend more upon our commercial credit than they do. The minister has conducted the war upon the hope, that we should be able to defeat the French by a contest of finance; and you now see the expedients to which we are driven. I am aware that I may be answered, that I propose my *panacea*, — an inquiry. I plead guilty to that charge; but my panacea has never been tried; the minister's opposition to it has been tried repeatedly; namely, confidence in him. The public have seen the effect of that opposition. All I ask is, that my remedy

may be tried; it can never be worse than his. We have for a long time had a confiding House of Commons. I want now an inquiring House of Commons. I say, that with a diligent, inquiring House of Commons, even although it should be an indifferent one with regard to talents, and with a minister of very ordinary capacity, we shall be able to do more for the service of the people of this country, than with a House of Commons composed of the best talents that ever adorned any senate, and a minister of the first abilities would be able to, if that House should implicitly confide in that minister. If, therefore, I have, in an uniform tone, called for inquiry, and the House has been as persevering, as certainly it hitherto has in confiding, it is not wonderful that we are in our present condition. I say, that without inquiry into the cause of our calamities, the public neither will nor ought to be satisfied. I say farther, that the House ought, for the sake of its credit with the public, to enter into a full inquiry upon this matter, for the authority of an inquiring is much greater than that of a confiding House of Commons.

Mr. Sheridan moved an amendment to Mr. Pitt's motion, by inserting after the word "House," the words, "and also to inquire into the causes which have produced the order of council, of the 26th instant." The question being put, that these words be there inserted, the House divided:

	Tellers.			*Tellers.*	
YEAS	Mr. Grey, Mr. Whitbread	86.	NOES	Mr. Douglas, Mr. Rose	244.

MR. HARRISON'S MOTION FOR THE REDUCTION OF USELESS PLACES, SINECURE OFFICES, &c.

March 13.

THIS day Mr. Harrison moved, "That the extent of the supplies voted to government since the commencement of the present war, having caused so heavy an increase of taxes, it is the duty of this House to inquire, whether some relief to the burdens of the people, or provision for farther expence, may not be obtained by the reduction of useless places, sinecure offices, exorbitant fees, and other modes of retrenchment in the expenditure of the public money." The motion was supported by Lord William Russell, Mr. Sheridan, Mr. Pollen, Mr. Bastard, Mr. Fox, and Mr. Tierney; and opposed by Mr. Pitt, Mr. Windham, Mr. Rose, Mr. Serjeant Adair, and Dr. Laurence.

Mr. Fox said, that having been personally alluded to in the course of the debate, and challenged to vindicate his consistency in supporting the present motion, with his conduct in 1782, he found himself called upon to make a few observations in his own defence. There were also a few general positions which the right honourable gentleman opposite to him (Mr. Windham) had laid down, on which he wished to make some remarks. The right honourable gentleman reprobated, in strong terms, the expedient of having recourse to the property of private individuals in time of public calamity. He admitted the principle in its full extent, and agreed with him, that any encroachment upon the rights of private property under pretence of public necessity, led to nothing short of a system of universal plunder and depredation. But, in the name of God, how was this general principle applicable to the present case? He had almost imagined that the right honourable gentleman was answering a speech containing some proposition to rob the Duke of Bedford of the property which his ancestors had received from Henry VIII., or to despoil the Duke of Grafton or the Duke of Richmond of the possessions which their forefathers had received from Charles II. The right honourable gentleman contended, that he had as good, or a better title to his salary as secretary at war, than he had to the rents of his paternal estates. This, Mr. Fox said, he would not admit; for if a motion was made in that House to address his majesty to remove the right honourable gentleman from his counsels — a motion for which he would certainly vote — it could not be argued, that he was guilty of the same injustice as if he addressed his majesty to deprive him of his landed property. And if the principle did not apply to his removal from office, it could not be applicable to a diminution of the income belonging to that office. There was no connection, then, between the general principle, and the instance to which it was attempted to be applied. The question was, whether, in the present calamitous state of the country, the emoluments of offices of every description ought not to be retrenched as much as possible for the good of the public? Upon this statement of the question, there was but little difficulty. But it was said, that he could not accede to the present proposition, because in 1782 he was as much pledged not to go farther than the limits of Mr. Burke's bill, as he was pledged to go that length. He asked the right honourable gentleman, whether he recollected the contents of Mr. Burke's bill? Was there not something in it about exchequer offices and crown lands? But it was well known, that it never had its full effect, and that the plan, on account of the short duration of what was commonly called

the coalition administration, was only partially executed. But supposing, for a moment, that it had been executed up to the full intention of its authors, was no allowance to be made for a change of times and circumstances? Had not a greater portion of influence been since created than was then destroyed? And if it was urged, that new offices were occasioned by the necessities of the times, why were not offices that were less necessary abolished in proportion to the new ones that were created? The right honourable gentleman asserted, that, as a pecuniary resource, all the saving which would arise from any retrenchment that could be made would be extremely trifling. The saving arising from Mr. Burke's bill also was trifling in amount. But the advantage was not to be calculated by merely a sum of 1,000*l.* or 100,000*l.*, which might be directly saved. It ought to be recollected, that it might be the means of saving many millions to the public, and of preserving not only the independence of the House of Commons, but the independence of the country. The right honourable gentleman did not dispute the calamitous state of the country, but he looked at only one side of the calamity; he only looked at the extension of the French territory, forgetting altogether the situation of its internal credit. He forgot that it was the means of influence which were in the hands of ministers that had contributed to the enormous territorial aggrandizement of France; that had it not been for this influence, the Republic of France would not have had Brabant, would not have had Italy, and that the right honourable gentleman would not now have had reason to lament the extent of her dominions. To prove that ministerial influence obtained in the House of Commons, Mr. Fox appealed to the authority of Mr. Burke, in that passage of his Thoughts on a Regicide Peace where he intimates a suspicion, that the minority in the House of Commons, express the sense of the majority of the country. And to what was this to be ascribed? Was it not to the places, pensions, commissions, and all the various kinds of patronage of which ministers were in possession? It had been asked, whether he supposed that there were no other principles of public conduct but those that were founded upon corruption? He admitted that there were gentlemen who acted upon totally different principles; but he contended, that this was a very general and very powerful spring of action. This was a topic nearly connected with the exchequer offices, which, in his opinion, at the death of the present incumbents, ought to be entirely abolished. If he was asked, how he had come to change his opinion upon this subject since 1782, he would answer, that it was one of those topics on which a man might

alter his sentiments without deserting any general principle. Indeed, there were arrangements which ought to be regulated so much by the circumstances of the times, that he should have no objection that an inquiry of the nature now proposed should take place every ten or twelve years. When he heard of the splendour necessary to a court, and of the dignity which it was proper to support in high situations, he was ready to acknowledge, that in certain circumstances that splendour and that dignity might be proper and becoming: but in times such as these, when public credit was fallen, when commerce was fast decaying, and when the nation were groaning under a load of taxes which they were scarcely able to support, then they became insults upon the people; and in order to maintain authority, instead of affecting gaiety and ease, the rulers of the nation ought to manifest the same symptoms of mortification and distress which pervaded the community. The right honourable gentleman contended, that the idea of retrenchment was a vulgar error, and that pensions were bestowed as the reward of merit. If it was a vulgar error, the vulgar ought to be undeceived; and with respect to pensions being given as the reward of merit, he would appeal for the refutation of the doctrine to the history of modern times, where the right honourable gentleman would find that they had been bestowed upon men merely on account of their subserviency to a faction, of which the right honourable gentleman once held the same opinion that he (Mr. Fox) still entertained of them. Mr. Fox here adverted to the sinecures of Mr. Pitt and Lord Grenville, with which they had provided themselves when they were loading the people with an accumulated weight of burdens; and also to the arrangement in the secretary of state's office, by which Mr. Aust was removed from the situation he there held, though he was eminently qualified for holding it, and at a time of life when he was as fit for business as ever he had been, merely to provide for Mr. Canning, who could not do the business of the office till he was instructed in it by Mr. Aust.

Mr. Fox then proceeded to a topic a little more difficult and nice. The right honourable gentleman had appealed to him, Whether he believed that his conduct was influenced by corrupt motives? He certainly believed that his conduct, as well as the conduct of those with whom he had been accustomed to act, was influenced by motives very different from those of venality, but he confessed that it had been such as strongly to induce suspicion of their motives, and that the world would not, perhaps, give them so much credit for honesty as he did. He here referred to a sentiment in one of Mr. Burke's publications, in which he states, that when men

swerve from those principles upon which they used to act, and leave those parties to which they were formerly attached, they often deceive themselves respecting their motives, and when they fall into a state of the lowest insignificance, they sometimes flatter themselves that they never stood on so high ground. Were he now to state his opinion of his noble friend (Lord William Russell) who had been referred to in the course of the debate, of his clear consistency of character, of his high and nice sense of honour, and above all, of his steadiness of character, and even were he to be asked, whether he had not at one time as high an opinion of others from whom he now differed, he would answer, certainly he had: nor would he be more surprized at any change in the sentiments of his noble friend than he had been at the difference of sentiments between the author of the work, entitled "The Causes of the present Discontents" and of those who signed the resolutions of 1784, and the opinions which they at present professed to hold. A distrust of public men was one among others of the lamentable effects of the present war.

The right honourable gentleman had said, that the labourer was worthy of his hire, and that the servants of the public were not overpaid. He had no objection to the servants of the public being handsomely rewarded; nay, he for one would go so far as to say, that wherever a man had a legal right to a place, however that right was acquired, he should not be for disturbing him in the possession of it. But if the labourer was to be paid, why did not Mr. Cowper, who did the duty, receive the salary of clerk to the House of Lords? Why did an honourable gentleman opposite to him (Mr. Rose,) receive the salary, and as if that were not enough, secure the reversion to his son? It was most scandalous and enormous! When he said this, however, if he had got a legal grant of it, he would not deprive him of it. All he wanted was, that the reversions should be saved to the public. Mr. Fox said, he did not approve of the mode of assigning the inquiry to a committee already balloted for. But even supposing that it was to be referred to this committee, was that any reason why the House should not agree to the proposition of his honourable friend? They would then be pledged to the country to make retrenchments wherever they could, consistently with the public interest and the public honour. But, in plain language, the chancellor of the exchequer wished that it should rather be done by him than by the House of Commons, in the same way that he had insisted, that when advances were to be made to the bank, it should be done at his own instance, and not upon a resolution of that House. Good

God! had not the House even yet had enough of his measures? If they were not yet tired of them, they might make trial of a few more. The right honourable gentleman was afraid that the present proposition would delude the public. But he would put it to the House, whether the public were more likely to be deluded by an open discussion of the subject, or by a committee which was appointed by him who had spent his whole life in delusion. To delude them into an expence of seven or eight millions was nothing, but to lead them to hope for a little saving in the public expenditure would be an incurable evil! Mr. Fox warned the House against the influence of such argument, and against leaving the inquiry to the committee which had been balloted; for though he did not know the members who composed the committee, he knew, that if it was formed by the minister, it was formed for the purposes of delusion.

Mr. Pitt having moved the previous question, the House divided thereon:

	Tellers.			*Tellers.*	
YEAS	Mr. St. John, Mr. Tierney	77.	NOES	Mr. Canning, Mr. Sargent	169.

Mr. Harrison's motion was consequently lost.

MR. FOX'S MOTION ON THE STATE OF IRELAND.

March 23.

IN pursuance of the notice he had given,

Mr. Fox rose and addressed the House in substance as follows: — The business, Sir, which I am about to bring before the House, is one not only of great importance in its nature, but of great urgency in point of time. It is not my wish to go at length into all the causes that have produced the uneasiness that exists in Ireland, and which has created a similar uneasiness here; but I do think it necessary to recur to a period somewhat distant from the present, in order to enable the House to form an accurate opinion upon the subject, and to induce them to accede to the motion which it is my intention to submit to them. Sir, in the year 1782, very great discontents existed in Ireland, and it appeared to me to be indispensably necessary, that every thing should be done,

on the part of the government, to appease and allay them. With this view I proposed the recognition of the complete independence of Ireland*. It is not now of importance to consider whether that recognition was a boon or a right. It is not necessary for me to discuss whether it was a right demanded by justice, or a boon required by policy. But having been the person who proposed that act, I consider myself bound to follow up the principle of it, which was to make Ireland a free and independent country; and, above all, to adopt such measures as are calculated to admit her to the enjoyment of all the advantages of that independence, and to restore that cordial affection between the two countries, so eminently requisite to the preservation and prosperity of both. To those who consider the recognition as a right, and still more to those who view it as a boon, it may seem not a little extraordinary, after a conduct so just and liberal on the part of this country, that, from the period of 1782, there have been growing scenes of dissatisfaction and discontent in that country, and that at this moment Ireland is in a condition at which no man can look without the deepest alarm. In my opinion, therefore, the parliament of Great Britain is naturally called upon to inquire, how it has happened that those concessions have not produced all the salutary consequences that might have been expected from them, and it is on that account that I think it the duty of this House, and my own duty in particular, to direct the attention of the British legislature to the present state of the sister kingdom.

Sir, without entering into particulars, no man will deny that the situation of Ireland, at the present moment, is one of great peril; it appears by late accounts that we are commencing a system of rigour, occasioned by what some consider as discontents, and others the disaffection that at present subsist among the people — to that situation it becomes us to advert, and by wise counsels to provide such remedies as the circumstances of the case may require. In such an important situation we ought to approach the throne with that advice which may be calculated to avert the dangers which threaten, and to remedy the distractions which prevail. It is sufficient for this purpose to shew that Ireland is in a state of disturbance and discontent, and it is material to inquire how this situation of things has been occasioned. Although a variety of circumstances have combined to produce this state, there are two or three leading points to which I propose chiefly to direct the attention of the House. These

* See Vol. ii. p. 49.

are, how far, in consequence of the concessions which have been made to Ireland, she has, in fact and in substance, enjoyed the advantages of an independent legislature; whether, in that form of a free constitution which they obtained, the people possess that political weight to which they are entitled; and whether their just voice and influence have been promoted by the alteration which was effected? Other points there may be, perhaps, nearly as important; but these certainly are objects of most essential consideration. In viewing the inhabitants of Ireland, we find that a very great proportion, about five-sixths, as it has generally been calculated, are Roman catholics. It is true that considerable concessions have been made in their favour, and several of the grievances under which they laboured have apparently been removed. The question, however, is, whether in point of fact, these concessions have tended to remove dissatisfaction, and to conciliate attachment? If upon inquiry it shall appear, that the mode in which these concessions were made, and the acts of the executive power with which they were accompanied, have produced the severest persecutions of a political nature, those who do not mistake paper regulations and theoretical privileges for practical government, will be convinced that the grounds of discontent of the Roman catholics have not been redressed, and that they have been kept in a situation worse than that in which they previously stood. These are the principal points which the inquiry must embrace: but there are others unconnected with the state of the catholics. The inhabitants of the northern part of Ireland are by some considered in a less favourable light, and their grounds of complaint are heard with a less favourable ear. The discontents of no class of men whatever ought to be viewed with that repugnance which precludes an impartial examination; and I cannot much admire the wisdom of those by whom such prejudices are adopted as rules of conduct. The discontents of the inhabitants of the northern parts of Ireland arise from two causes: one of them is the temporary pressure of a war, in which they were involved without interest in the contest, and the distresses which the calamities with which it has been attended have entailed upon their trade and commerce; the other has been the abuses which they conceived to exist in the constitution by which they are governed. The constitution of Ireland, they complain, does not resemble that of Great Britain; they have not a legislature by which the people are even virtually represented; and as to political liberty, they enjoy as small a portion of it as those who live under monarchies, in which the principles of freedom have never been introduced.

As to the first point, the efficacy of the recognition in 1782, an opinion prevails in Ireland, that whatever may have been the intention with which that measure was adopted, it has not produced a free and independent legislature, but that the advantages which the form of a free constitution seemed to promise, have been counteracted by the influence of the executive government and of the British cabinet. It would be fortunate if this were merely the language of discontent; it would be fortunate if this were an opinion not supported by that unequivocal confirmation it has derived from the measures of government; it would be fortunate if the system which has been uniformly acted upon, did not give to the complaint so much countenance and validity. Without going into particular details, it is impossible not to mention a few of the most striking events which establish its truth. At the time of the unfortunate event of his majesty's indisposition, the legislature of Ireland took a very decided part; the parliament of Ireland censured the lord lieutenant for the conduct he had pursued, and expressed a decided opinion on the state of public affairs at that period. Immediately after this, however, and during the administration of the same lord lieutenant, a great accession of influence was gained by the crown, and the parliament was prevailed upon to unsay all they had said, and to retract every opinion they had given. It is even matter of notoriety, too, that a regular system was then devised for enslaving Ireland. A person of high consideration was known to say, that half a million of money had been expended to quell an opposition in Ireland, and that as much more must be expended to bring the legislature of that country to a proper temper. This systematic plan of corruption was followed up by a suitable system of measures. It was asserted, and offered to be proved in the Irish parliament, by men of the first character and the highest talents, and when I mention the name of Grattan, I need add nothing more, that it had been the system of government by the sale of peerages, to raise a purse to purchase the representation, or rather the misrepresentation of the people of Ireland. The charge was brought by men of as great abilities, of as unimpeached honour, of as high public character and private virtue, as ever appeared either in that country or in this, by men too, who feel a sincere attachment to Great Britain, who cherish the connection which subsists between the two kingdoms, and who would be as much alarmed as any men whatever, at any circumstances which might threaten to involve a separation. It was offered to be proved, that one half, or even a majority of the House of Commons, were creatures of the crown. The manner in which these events

were considered at that time in Ireland was this: "You have granted us," said the people, "an independent legislature, independent certainly of your parliament, but dependent upon your executive government." The concession, therefore, they viewed not as a blessing, but as a mockery and an insult.

Another proof of this substantial dependence upon the executive government, was evinced in the manner in which the demands of the catholics had at different times been treated. Their first petition merely prayed for a remedy to some of the most oppressive grievances under which they laboured, and in the humblest style solicited indulgence and concession. An immense majority of the House of Commons were not content with refusing the desire of the petition, but they resolved to fix upon it a mark of particular insult, by voting its rejection. In this haughty and insulting vote every member under the influence of government concurred. The very next session, however, when the war was begun, and when a more conciliatory conduct was deemed prudent, a petition, comprehending claims much more extensive, obtained a reception very different from their former modest pretensions. The crown recommended the claim, and the same ministers who had caused it to be indignantly rejected, now carried the vote by which pretensions far more important were sanctioned. Of this opposite conduct which the executive government thus displayed, I most certainly approve the latter part; but it is not as deserving approbation that I now insist upon it, but I mention it to shew that it is not the representation of a factious declaimer, that it is not mere cant and nonsense, to assert that the independence of the Irish legislature is a delusion, and that their freedom vanishes before the breath of the minister. How, in fact, can the people of Ireland entertain a different opinion, when they see the indecent manner in which government have exhibited the parliament as their creatures? When Earl Fitzwilliam went to Ireland in the capacity of lord lieutenant, it was understood that he left London with the approbation of ministers, in favour of the complete emancipation of the catholics; and though no such vote ever passed the legislature, no doubt was entertained that the measure was to take effect, and that it would have experienced the most complete support from parliament. However I may differ with my noble friend upon his system of politics, it cannot be denied that he was the most popular lord lieutenant with all ranks of men, that had ever been sent to govern Ireland; but after the hopes which had been raised, after the known preparation of parliament to vote complete emancipation to the catholics, he is sud-

denly dismissed, the whole system is reversed, and the question which a few weeks before would have been carried with unanimity, is rejected by a vast majority. What was this but the most insulting display of the dependence of the Irish legislature? Was it not a proof beyond a thousand demonstrations, that the measure of 1782 had been rendered completely inefficacious? that, in fact, Ireland had gained nothing, but was placed in a state of degradation beyond any former period? The effects of this persevering and avowed system of duplicity might, indeed, be different, according to the character and situation of those on whom it operated. The lower classes of the Roman catholics, unfortunately not more enlightened, not better informed, nor, perhaps, so well as the peasantry in other countries, though unable to speculate upon political circumstances and to reason upon events, might yet feel its effects. The inhabitants of the northern parts, as well informed, as intelligent, as enlightened as the middling classes in Great Britain, or any other country, would view the system with a more discriminating glance; they would be able to combine the disposition which they saw manifested with the constitutional grievances under which they laboured, and it would at once heighten their sense of abuses, and their desire of reform; but even the concessions which were extended to the catholics, were conducted upon a plan which seemed studiously intended by government to damp the joy of their success.

Before I proceed, I must here beg leave pointedly to express my abhorrence of the maxim *divide et impera*, and especially that by such a truly diabolical maxim, the government of Ireland should be regulated; on the contrary, I am convinced, that in order to render Ireland happy in herself, and useful in her connection with this country, every idea of ruling by division ought to be relinquished, and that the object of government should be to effect a complete union of all ranks of men. Disapproving, as I do most heartily, the maxim I have mentioned, I cannot help being surprised that a government so little disposed to act upon the principles of justice or of liberty, should have acted as if it had been their aim to undo every part. So little was it the object to inspire the catholics with gratitude for what had been conceded, that opinions were given without concealment, which left little room for exultation in what had been obtained. It was usual for men of consideration in Ireland, to talk as if what had been done was an act of necessity, which, on a fit occasion, would be recalled: hostile suspicions were insinuated, not merely against the lower orders of catholics, whom it seemed to be the policy of government weakly and

wickedly to divide from the higher rank, but against men of considerable property, unimpeached character, and undoubted loyalty. Numbers were taken up under charges of high treason; and when acquitted, it appeared that no ground of suspicion could ever have been entertained against them. What could be the object of such proceedings, but to convince the catholics that the concessions in their favour were extorted, that the hostile mind still existed, and that they were marked out as the victims of the most cruel proscriptions and oppression? Private animosities, too, arose, and produced those different classes of disturbers of the public peace about which so much has been said. The remedies applied tended to foment the evil. The authority of the laws was superseded. Those against whom it was thought convictions could be procured, were taken up; and those whom it would have been impossible to convict, were transported in great numbers, without the ceremony of a trial. To enable the government to pursue these violent measures, the Insurrection act was passed. Those who delight in violent measures, rejoiced in the effect of their application. Other laws, nearly as objectionable as the Insurrection act, were also adopted; and to one of these I must particularly call the attention of the House, in order to shew the inefficacy of violent remedies. It was thought a point of the first necessity to prevent the people, who were the objects of jealousy, from procuring arms. Considering the strength which the government of Ireland possessed, it might have been supposed that none could have obtained arms but those who were armed by the licence of the executive power. Such, however, has been considered the extent of the danger, that a rigour beyond any former measure has been employed in disarming the people. The exercise of one inordinate authority has produced the demand for increased powers, while every remedy that has been applied, has served only to augment the danger.

And now, Sir, a few words upon the grievances of the catholics and the dissenters. I know an opinion has gone forth, that the catholics have now no substantial grievances to complain of, that the presbyterians have still less. It is said that the catholics have had ceded to them all the privileges of the most importance; that they can vote for members of parliament, and that they are not distinguished from the protestants, but by being excluded from the high offices of state, and from being members of parliament. If this were all, I should still say, that they have a right to all the privileges possessed by the protestants. On what principle ought they to be excluded? On what ground of justice? Sir, upon no ground of justice: the only reason therefore,

must be a reason of policy, which is a sufficient proof of a hostile mind against them.

But let us consider it in another point of view. Is it nothing to have no share in the government, and to be excluded from the higher offices of the state? But it is invidiously objected to the catholics, that it is not civil liberty which they wish, but power and emolument. To this I would answer for the catholics, Yes; nor is it any discredit that they should be actuated by such desire. I would say, that civil liberty can have no security without political power. To ask for civil liberty without political power, would be to act like weak men, and to ask for the possession of a right for the enjoyment of which they can have no security. I know that distinctions have been made between civil and political liberty, and I admit, that it is possible for whole classes, whole casts and descriptions of men, to enjoy the one without possessing the other. Still, however, I assert, that it can be only by sufferance. I admit, that civil liberty is of a higher kind; but this I contend, that political power is the only security for the enjoyment of the other. The catholics may justly say, therefore, It is not this or that concession that will satisfy us, but give us that which alone can give us security for its continuance. It is objected also, that the catholics are not merely ambitious of power, but actuated by views of private emolument. But if this were true, is it improper that the catholics, contributing so largely to the support of government, should be desirous to share the emoluments which it bestows, as a compensation for what they sacrifice? The compensation, indeed, is trifling; but still, should they, in point of right, be excluded from their proportion? Yet, how strongly will their claim be felt, when it is considered who are the disputants? Are the catholics to be told by a few monopolising politicians, who engross all places, all reversions, all emoluments, all patronages, "Oh! you base catholics, you think of nothing but your private emolument! You perverse generation, who have already been permitted to vote for members of parliament, are you so base as to urge the disgraceful demand of a share in personal emoluments?" Sir, the catholics are men, and are to be governed. The expence of maintaining all governments must be considerable, and that of Ireland is certainly not a model of economy. In the emoluments arising out of the establishments of government, the catholics have a just right to participate; and for a small and interested minority to imagine that they can monopolize all these advantages to themselves, is a pretension which cannot be admitted. Mankind are not to be treated in this manner. It is not now-a-days that such claims will

pass current in the world. The loyalty and activity of the catholics upon the late attempted invasion, are now the theme of the highest panegyric; but it is empty, unavailing praise: *Laudatur et alget* is the situation of catholic loyalty. The qualities which are so much extolled, ought to be rewarded by conferring on their possessors those just claims which are yet denied them.

Before I proceed to consider the situation of the protestants, there is one point relative to the catholics which I ought to explain. It has been said, that the catholics are entitled to vote for members of parliament; and the fallacy of this boasted privilege ought to be exposed. Except in the counties, the representation of Ireland remains in what is here known by the name of close corporations. The animosities which formerly subsisted are anxiously kept up by the executive government, who favour the determination to exclude the catholics from the corporations, so that their privilege is almost entirely evaded. They thus confer in theory a power, which they are careful to defeat in practice. Those who esteem this privilege, then, must be fond of theories upon paper, and unconcerned about their practical effect. Yet the presbyterians consider their grievances to consist in the abuses of the government, which they have not means to remedy. They wish for the substantial blessings of the English constitution. They wish for the political principles on which that constitution is founded. Whoever imagines that a practical resemblance exists between the government of Ireland and the English constitution, will find that the Irish government is a mirror in which the abuses of this constitution are strongly reflected. I will not speak of the abuses of which we have been used to complain, but if I were desirous to reconcile any one to the abuses of the British constitution, it would be by a comparison with those of Ireland. Whatever may have been thought of the plans of parliamentary reform which have been agitated here, still it was always admitted that the House of Commons should be at least a virtual representation of the people. It certainly was stating the point of virtual representation very high, when it was asserted in this House, that though all the representatives of England were chosen by the county of Middlesex, it would be no reason for reform, so long as such a parliament discharged its duty as a parliament. But, are the people of Ireland unreasonable when they complain that they have not the advantage even of virtual representation? When they complain that the jobbing system of influence and patronage for purposes of personal advantage, is an abuse that totally destroys the spirit of their form of government, and a practical nui-

sance which cannot be endured? To suppose that a large, industrious, active, and intelligent body of men can be governed against the principles they have imbibed, and the prejudices by which they are guided, is an idea which history and human nature prove to be absurd. What is the situation of affairs with respect to Ireland? You have raised enormous burdens both in England and in Ireland. You have produced great discontents, and you are reduced to such a point that you must take a decided part. In fact, we now are precisely at the point in which we stood in 1774 with America, and the question is, Whether we are to attempt to retain Ireland by force, instead of endeavouring to gain her by concessions, and to conciliate her by conferring on her the substantial blessings of a free constitution? Whenever I see a government desirous to decide by force against the will of the majority, in these circumstances I behold the danger of civil war. There is this difference now in our situation, that the state of our finances may deter us from encountering such hazardous enterprizes. In the other case we were wealthy and prosperous. *Stultitiam patiuntur opes* might then be said of our situation; but now the critical state of our affairs, and the embarrassed condition of our finances, forbid similar experiments. I hope and trust that the discontents which threaten the separation of Ireland, will be dissipated without the necessity of a war. But now the extremity of rigour has been tried, the severity of despotism has been let loose, and the government is driven to that state when the laws are not to be put in execution, but to be superseded. Ireland is precisely in that state which a person well acquainted with the subject defined to be despotism: "Where the executive power is every thing, and the rights of the people nothing." At the beginning of the American contest, the province of Massachusets bay was disarmed; but I do not think that if this province had been left armed, the separation of the American colonies would have been accelerated. The people of Ireland are now in that state when, if they should chuse to resist, a contest must ensue, the issue of which must be doubtful. In the commencement of the American war I had made such an observation of the disposition of the regular governments of Europe, that I was convinced that France would aid America. In the present there can be no room for doubt that the French would make it a chief point of their policy to give assistance to the insurgents. But suppose you were to succeed in disarming the whole of the north of Ireland, you must keep them in subjection by force. If you do not allay their discontents, there is no way but force to keep them in obedience. Can you convince them by the musquet that their principles are false? Can you prove to

them by the bayonet that their pretensions are unjust? Can you demonstrate to them by martial law that they enjoy the blessings of a free constitution? No, it is said, but they may be deterred from the prosecution of the objects which you have determined to refuse. But on what is this founded? On the history of Ireland itself? No; for the history of Ireland proves that, though repeatedly subdued, it could not be kept in awe by force; and the late examples will prove the effect which severity may be expected to produce. The character of the people of the north of Ireland has been severely stigmatized. For my own part, it is not my habit to admit a fixed dislike against any bodies of men, nor do I see any thing in these to justify such dislike. But it is said these men are of the *old leaven*. They are indeed of the old leaven, that *rescued the country from the tyranny* of Charles I., and *James II.; they are of that leaven* which asserted and defended *the principles* of liberty; they are of that leaven which fermented, kneaded the British constitution. If these principles have been carried to excess, it is an excess to which I am more partial than to the opposite extreme. The opposition they have suffered is some apology. I am told, that the mode now adopted is this — to declare a country out of the king's peace, it is necessary that there should be a certificate from the magistrates; many of the magistrates are not natives of Ireland, or resident there, but Englishmen and officers of the fencible corps. Are the people to be told that these magistrates are acting only in a civil capacity? But have they not been provoked to violence? Have not several of the principal people of Belfast been taken up? The law is in that state, that men may be kept in prison without trial. Is that an inference of their guilt? I have seen the wanton prosecutions of government in this country which juries happily checked. I have seen too much of these prosecutions to make me draw an inference of guilt from the circumstance of a man's being taken up. I have heard in Ireland of men being ignominiously arrested and carried to Dublin, who on their trials were found to be perfectly innocent, and ought not to have been suspected. The people of the north, attached to these men, were determined that they should not suffer in their property, The people worked for nothing; they reaped their harvests, on purpose to shew either their good will to the parties, or their detestation, possibly, of the conduct of government. This, however, was construed to be a heinous offence; the people were dispersed by the military; and when some were killed, the attending their bodies to the grave was deemed criminal, and the persons assisting were dispersed, as if they were doing an act against the state. That these things

will goad who can doubt? Is it not possible that they who prefer monarchy may find the exercise of it so bad, as almost to doubt the excellence of a monarchical government? But, should the people even be totally subdued, can you do otherwise than keep up a large military force? But suppose the people submit—I put the case in that way—can you trust to such a situation? Will their submission to laws which they detest, last longer than your power lasts, and their impotency? Will you continue to keep up your force? During the war, I believe you will. But can Ireland afford to maintain it during peace? Is it the way to persuade the catholics to assist you, to refuse acceding to their demands? I have heard that a direct application has been made, not from the catholic peasantry, but from the catholic nobility; a strong and urgent application to the government to grant the remainder of their demands. I have been told, what certainly it was unnecessary to tell me, that these applications have been unsuccessful. To refuse all these demands, to determine to govern Ireland by military force, to risk a civil war; which of these evils is the worst I know not.

But it may be said, what is to be done? My general principle is to restore peace on principles of peace, and to make concessions on principles of concession. I wish members to read that celebrated speech of Mr. Burke on the subject of such concessions. Let them read that beautiful display of eloquence, and at the same time of sound reasoning, and they will find in it all those principles which it is my wish to have adopted. There is another expression of that gentleman's, I believe, in his letter to the people of Bristol. In that letter he says, that "that is a free government which the people who live under it conceive to be so." Apply this to Ireland; make it such a government as the people shall conceive to be a free one. But it is said, it is not possible to satisfy all persons. It may be so. But is there one concession that could be made to the catholics which the people in the north of Ireland could object to? Is there one grievance which could be remedied in the north, to which the catholics would object? They have no inconsistent pretensions, no clashing interests. The concessions to be made to the different parties are not inconsistent; the one party will not repine at the satisfaction which the other obtains. Who, then, would be dissatisfied by such concessions? Not the aristocracy, for I will not call it by so respectable a name. And is that miserable monopolising minority to be put in the balance with the preservation of the empire and the happiness of a whole people? The Irish wish to have a reform, upon an extended scale; they desire an extension of popular rights. But may there

not be a conciliation and compromise? In the declaration of the people of Belfast, I see that they do most distinctly state, that they conceive all the benefits of freedom may be enjoyed under a government of king, lords, and commons. What, then, is it that the people wish for? They wish the House of Commons to be differently constituted. I think them right. They desire a diminution of patronage, and they may go the extraordinary length of saying, that it is not right to have a church in all its splendour, which is applicable only to a small part of the inhabitants. But do not these things admit of temperate discussion and satisfactory compromise? What, they ask, is a constitution such as Great Britain has, according to some, and such as she ought to have, according to others — a government which shall virtually express the will of the people; and if in treating with them you should fail, you will then have to resort to violent measures; you will then have to divide the people, as Mr. Burke said — not to divide the people of Massachussets from the people of Virginia — not to divide Boston from Carolina — not, I say, to divide Ulster from Connaught, and Leinster from Munster, but you will divide the people who wish for the constitution from those who wish to destroy it. These are the divisions which I wish for. But conciliation, it may be said, will not do. If it will not, then only may we have recourse to arms. Is there a worse period for the country in point of credit and resources? I know not; but sure I am, that we cannot do worse, than at the end of one war, to adopt measures to bring on another. I would therefore concede; and if I found I had not conceded enough, I would concede more. I know of no way of governing mankind but by conciliating them; and according to the forcible way which the Irish have of expressing their meaning, "I know of no mode of governing the the people, but by letting them have their own way." And what shall we lose by it? If Ireland is governed by conceding to all her ways and wishes, will she be less useful to Great Britain? What is she now? Little more than a diversion for the enemy. If you keep Ireland by force now, what must you do in all future wars? You must in the first place secure her from insurrection. I will therefore adopt the Irish expression, and say, that you can only govern Ireland by letting her have her own way. The consequences of a war with Ireland are dreadful to contemplate; public horrors would be so increased by the laceration of private feelings, as to spread universal misery through both countries; the connection is so interwoven between the individuals of the two countries that no rupture can happen without wounding the most tender friendships and the most sacred ties. Rigour has already

been attempted; let concession and conciliation then be tried before the last appeal is hazarded. My wish is, that the whole people of Ireland should have the same principles, the same system, the same operation of government, and, though it may be a subordinate consideration, that all classes should have an equal chance of emolument: in other words, I would have the whole Irish government regulated by Irish notions and Irish prejudices; and I firmly believe, according to another Irish expression, the more she is under the Irish government the more will she be bound to English interests.

One word or two on the subject of Lord Fitzwilliam's administration. He went to Ireland, and after a short residence, was recalled. I wish to ask those who know that country best, whether the day of his departure was not a day of the greatest sorrow? That his lordship has many qualities to render him popular, I know; but his popularity in Ireland was derived from this circumstance, that he went upon the principle of concession. What happened after his departure? Those who look only superficially at events boasted that the effects which had been predicted in consequence of his lordship's recal, did not happen. The catholic petition was rejected. I said that these appearances were deceitful, that the effects might not be immediate, but would be certain. See what has happened, and say, whether you cannot conceive that great part of the present distracted state of the country has been produced by the hopes of the people having been disappointed, and by the cup of enjoyment having been dashed from their lips. You may be now in a situation somewhat similar. The measures you have adopted may produce apparent quiet, but I warn you against premature exultation. That the present state of Ireland can afford no satisfaction, all must admit. That there is so great a part of the king's subjects as the county of Down contains, out of the king's peace and the pale of the constitution, is a circumstance which we must all lament; and should it lead to civil dissention, there is no man, I am sure, but will feel the horrible situation in which individuals would be involved, and the calamities that would be entailed upon the public. Sir, I say, therefore, try conciliation, but do not have recourse to arms, which, if once attempted to a considerable degree, cannot be remedied or recalled. In case of civil dissention, whom can you rely upon? Not upon that small party of monopolists, many of whom could not bring so many men into the field, as they bring members into parliament. I can scarcely conceive that any objection can be urged against the present motion in point of form. The interests of this country and of Ireland are the same; its affairs are conducted by ministers and the British

cabinet, and it is the privilege of this House to advise his majesty. If I were to justify the measure by precedent, I might quote the case of an impeachment of the Earl of Lauderdale by the English parliament, before the Union, for his conduct of the government of Scotland. But why should I speak of forms when the consequence of the discontents in Ireland may be a contest to be supported by Englishmen and English money? I therefore move, Sir, "That an humble address be presented to his majesty, that his majesty will be graciously pleased to take into his royal consideration the disturbed state of his kingdom of Ireland, and to adopt such healing and lenient measures as may appear to his majesty's wisdom best calculated to restore tranquillity, and to conciliate the affections of all descriptions of his majesty's subjects in that kingdom to his majesty's person and government."

This motion was seconded in an animated speech by Sir Francis Burdett, and supported by Mr. William Smith, Lord Wycombe, Mr. Curwen, Mr. Courtenay, and Mr. Hobhouse; and was opposed by Mr. Pitt, Lord Hawkesbury, and Lord Frederick Campbell. On a division, the numbers were,

	Tellers.			*Tellers.*	
YEAS	Mr. Curwen Mr. Wm. Smith	84.	NOES	Ld. Hawkesbury Mr. John Smyth	220.

So it passed in the negative.

MR. POLLEN'S MOTION FOR PEACE WITH FRANCE.

April 10.

THIS day Mr. Pollen moved, "That an humble address be presented to his majesty, to represent to him, that it appears to this House, on a mature consideration of the circumstances, and the result of the late negociation, that his majesty's gracious and benign intentions for restoring general peace, have been either misconceived by the government of France, or ill explained by them to the people of that country: that we therefore humbly beseech his majesty, that he will be graciously pleased, without delay, to adopt such measures as may appear to him, in his royal wisdom, most efficacious for removing every misconception which may have been entertained by the directory of France, by the French nation, and by all Europe, relative to the sincerity of the intentions, by which the government of this country was actuated in making overtures of peace to the directory of France."—Mr. Pitt opposed the motion. He said it would appear, on inquiry, that ministers had not only performed the whole of what the motion

proposed, but had even gone beyond the direct terms of it. He had no hesitation in declaring that in consequence of dispatches received from his imperial majesty, who had refused to negociate for peace, but in conjunction with Great Britain, a confidential person was to be sent from this country to Vienna, with instructions to enable the emperor to conduct farther negociations, in concert with his allies. He, therefore, hoped that Mr. Pollen would withdraw his motion, rather than persevere in a measure which would tend to defeat the end which it proposed.—After the other orders of the day had been moved by Mr. Hiley Addington,

Mr. Fox rose, and said: — It would be difficult for me, consistently with my duty, to give a silent vote upon the question now before the House upon this extraordinary day. After all that this country has suffered, after all the calamities that have been brought upon us, and after contemplating those that are impending, we have to consider whether we will address the throne for the purpose of facilitating peace, which I think, which I trust this House, which I know this country thinks, is the only means of repairing our misfortune, and averting our ruin. What is it that is now stated to the House by those who oppose this motion? What does the minister himself, who has had so large a share in producing your present calamities, and who therefore ought to feel for them, propose to you this night? What, but a desire that you should persist in continuing that confidence in him which has brought you to that calamity; that you should continue that forbearance which is the source of your misfortune; that you should still trust to those councils which have been so fatal. He is for ever the same character, although he comes before you in different shapes. When he is called upon by those who are the most willing to trust him, to take some step that may lead to peace, he comes forward with a promise that he will do so, nay, that he is actually doing it. Promises you have had from him in abundance, but not one of them has he fulfilled. We are told this day, as I understand, that the city of London was informed in the morning, that a gentleman in a confidential character is going to Vienna, the object of whose mission would be explained this evening to the House of Commons. How far that has been explained, I leave gentlemen to say. But, it seems, Mr. Hammond, of whose abilities I have no doubt, is going to Vienna, and upon this the minister expects you to stop at once in the performance of your public duty. He is going upon the subject of peace, and under that general head, supposing his employers to be sincere in desiring to forward that event, he would go with the unanimous wishes of the people of this country. But

upon that sincerity I have great doubts. What is the reason, then, of this embassy? I am afraid it is too much like that which took place last summer. When the French arms were victorious; when the situation of the emperor was critical, as admitted by all; desperate, as thought by many; then you took a step similar to that which is now about to be taken, and that was afterwards followed by your sending a negociator to Paris. I know that some persons chuse to forget the dates and circumstances of these events; seeing that when Lord Malmesbury was sent to Paris, the French had met with some defeats. That we were in a state more prosperous when that noble lord went to Paris than we had been some time before is true; but when the measure was taken that led to that embassy, we were in a situation the most disastrous. I will not question, because I have no means of proving, how far the minister was sincere when he adopted that measure; I am heartily inclined to think he was sincere in his endeavours to make peace when it was impossible for him to make a good one; for I do know that there is a natural connection between haughtiness and meanness; and under the terms he was sent, it was as impossible to obtain a good peace, as if he had not been sent to Paris at all. But there is another point to be considered with regard to that embassy: it took place when there was a loan to be obtained, and he continued at Paris until that loan was concluded; we are now at a period in which the French have been victorious, and the emperor's situation desperate; we are now also to negociate a loan; and we are now, as we were then, called upon to confide in the professions of the minister. This is the way in which the minister chuses to gloss over the duplicity of his conduct: we are now to negociate in conjunction with the emperor, and Buonaparte is to be the negociator for peace for us both. The minister tells us, "Do not put me under difficulties by your untimely interference. It is a principle, that the House of Commons should confide in the executive government when they are endeavouring to negociate for peace." To that, as a general principle, I have no difficulty in assenting, although, perhaps, I should not agree with the minister as to the extent to which that principle may be carried. The question is not here, whether any minister, under any circumstances, should have the confidence of this House pending a negociation? but, whether the present minister, under the present circumstances, ought to have that confidence? And here it is not improper to recur to what happened in this House two years ago: a motion was made by an honourable gentleman, not at all hostile to the present minister in his general line of po-

lities (Mr. Wilberforce*). What was then the language? The very same that we have heard this day: "Do not vote for this proposition, but trust to me." Then comes the common-place argument, that every minister must be interested in obtaining peace. I see no reason why that desire should be peculiar to a minister. Was not Lord North in the same situation during the last war? Has not every minister been in the same situation? What is there peculiar in the character or situation of the present minister that should lead us to suppose that he is more sincere in his professions of peace than any other minister? Upon the occasion to which I have alluded, the present minister said he should be ready to negociate whenever the enemy should appear to be in a state capable of maintaining the accustomed relations of peace and amity with other powers. What happened then? The minister prevailed upon the House to do then what he asks you to do now — to confide in his professions of sincerity. The House did not interfere with its authority, which it ought to have done, but did that which it ought not to have done; it confided under an idea that a negociation would soon take place: no negociation, however, was attempted. After this, a considerable time elapsed, and then there came from the throne a declaration which stated, that from circumstances which had taken place in France, a negociation might be attempted. I thought, and I believe the people of this country thought, that the period was much too long before that negociation was attempted. It was, however, at last attempted, through the medium of Mr. Wickham, and afterwards carried on by the embassy of Lord Malmesbury; and the whole conduct of it is so marked, and the public opinion upon it so well made up, that I need not add any opinion of mine upon the subject. It came to be discussed in this House; and we were told, after every means had been made use of to evade all measures that could lead to any serious negociation, that there was not a heart in England so profligate as to wish, nor a hand so dastardly as to sign, nor was there to be found a man so degenerate as to be the courier of a commission to be sent to France to stipulate for peace. The courier will, and must be found, and, I trust, the hand will be seen that will sign a peace with France. I say we have tried our executive government enough to be confident that we can do no good to our country by trying such means any longer. Let us now try means which we have not tried. My opinion is, that, let who will be the negociators for peace, certainly still more if

* See Vol. v. p. 467.

the present ministers are to be the negociators, the chance of obtaining it will be infinitely increased if parliament should give that negociation the sanction of its vote. If it should appear to be the dictate of parliament, it will give to those with whom you are to negociate a pledge of sincerity which they have not had; and I think I need not add, that the French doubt the sincerity of our present executive government.

The honourable gentleman who spoke last has gone over the history of the war, and dwelt a good deal on the declaration of the French, to shew their hostility to this country. I admit that their declaration proves their hostility to us. But, if we say that there is a reigning faction in France, that is not likely to be favourable to a peace—has not that faction a right to say, while you confide in the minister's professions in defiance of his acts, that there is a reigning faction in Great Britain, that is not sincerely desirous for peace? The expressions of the directory, as against us, I admit are very strong, and are inconsistent with what England ought to expect; but, compared to the language of the leading faction in the English House of Commons, they are terms of civility, and even politeness; and all that has been said in France, with all the powers of oratory which the leaders there possess, has not produced among the people of that country a greater abhorrence of our executive government, than what has been said by the leading faction in this country. The honourable gentleman said, that if the propositions which were made by me in the time of Robespierre had been adopted, they would have been reversed by the succeeding faction. There is no authority for coming to that conclusion; on the contrary, every measure that was agreed to with respect to external arrangements during the time of Robespierre, has been confirmed and carried into effect by the succeeding faction. "But they have made peace with other powers, and have never seriously thought of doing so with Great Britain." That they should endeavour to make peace with many of the great powers combined against them does not appear wonderful to me, nor wonderful that they have succeeded in such endeavours. "But they did not endeavour to make a separate peace with the emperor." I grant it. But their endeavours against him do not appear to me to be any proof of their extraordinary malice against us, nor does it prove the contrary. It proves only, that they have contended against the emperor in the way they have, because they have the means of annoying the emperor more than they have the means of annoying us.

But to return to the question immediately before us. I would ask, is there any man in this House, or in this country, who

thinks that our chance of obtaining peace will be as good by confiding in the promise of ministers, as if this House came to a declaration upon that subject? Does any man in his conscience believe, that the executive government can be trusted so well in a negociation for peace without, as with the injunction of this House? What are we to think of those who talked of marching to Paris, if they do not receive the check of this House in their phrenzy? Does any man believe that, with all our advantages and the profit we have had by the easy means we have discovered, as we were told by the gentleman who spoke last, of quieting the people of this country, that we shall the more easily obtain peace by trusting to ministers than by interposing the authority of this House to obtain peace? Of these means I trust the people of this country have a proper feeling. We have found out the means of quieting the people of this country by repealing some of the best provisions of the bill of rights. Are we really to say to Europe, that this war was carried on to procure these advantages of quieting the people of this country, and that we could only pass these measures when we had a large standing army, which was ostensibly raised against a foreign foe, but which, in reality, was intended to enable our executive government to carry into effect these easy means of quieting the people? I own I do not think it necessary to congratulate the people on these easy means of quieting them. I have heard it said, it was wise to sacrifice a part of our liberty to save the remainder; but the part which we have sacrificed appears to be the most material of our constitution.

But let us consider the time in which we are debating this measure. We are not now about to grant millions to the emperor, to enable him to march to Paris, but to prevent the French, as we are told, from marching to London. This is what I do not believe: but this is the state of the argument as urged by those who oppose this motion. It has been said, that we have had an opportunity of shewing the character of the British nation in the present war. I hope that character will always be supported; but I own I think it has been unnecessarily tried. I know of no obligation that we were called upon to shew our good faith in this war, at the commencement, even according to the arguments of the minister himself, except with regard to Holland; and there our assistance was not asked for; on the contrary, we were told that our friendship would be more dangerous than our neutrality. I wish for no breach of faith on the part of this country, because I know its honour is highly valuable to its interest. I wish a peace may be obtained by us conjointly with the emperor: but, between two evils, I have no difficulty in de-

claring, that a separate peace between the emperor and France, or between Great Britain and France, would be a less evil to us than a continuance of the war upon the present system. But after all that can be said of the credit of this country, with all the advantages of the sinking fund, it must not be dissembled that you are lower in that respect than at any former period of your history. All your conquests in St. Domingo will never bring back to you the millions that you have squandered, nor restore to you the lives devoted to that part of your service. This may be called declamation upon the general subject of the war, but it is not so. I am not making a general declamation upon the evils of war, but upon the evils which you have specifically sustained. We entered upon this war on the general idea, that all the powers of Europe would enter into an alliance with us. The result of that policy we have seen. France has gained the alliance of Spain, all the power of Italy, and the Netherlands. She has obtained the neutrality at least, I think the friendship, of the King of Prussia. These are the allies which France has gained, to say nothing of Holland. But in addition to these alliances, she has gained an ally which is more formidable to us than all of them together. I mean the national debt of Great Britain. This is an ally that has been increasing from day to day, and will aid the French much more than all the rest united; and be it remembered, that we were told in the outset that this was to be a contest of finance between Great Britain and France. Our confidence in the minister will increase the power of this last and great ally of the French, for the continuance of the war will most rapidly increase our debt.

But, it seems, "the French will be encouraged if this House should interfere and dictate to the executive government." Will they really think worse of your energy, if they find that you are determined to take your own affairs into your own hands instead of confiding to the present minister? Will they really expect to make better terms of peace with the people of England, speaking to them through the medium of their representatives, than with the present executive government? Do they expect more real care of the interest of the people of England from a reigning faction, than from the people themselves, speaking through the medium of their representatives? I apprehend the contrary; and that, as we should expect more justice from the French people themselves than we do from any faction among them, so would they from Great Britain; and in that view I should hope, that neither the republic of France would be hostile to Great Britain, nor the limited monarchy of this country be hostile to the just claims

and true interests of the republic of France. I wish to know what better pledge you could give of sincerity to France in your desire for peace, than to tell them by a vote of the House of Commons, that you are willing to negociate; and what is more likely to lead to a restoration of tranquillity upon a solid and permament foundation? I do not wish to go now into the question of the terms of peace. I know, as well as the minister does, that they cannot now be discussed here; but I believe I may say without danger, that although Belgium was once considered as the cause of breaking off the negociation for peace, there would not be much difficulty now between the parties upon that subject. I am afraid it is as little necessary now to say much about Holland. I am afraid, too, that disputes will be superfluous as to what part of Italy the emperor shall possess. I am afraid that the good sense, or, if you please, the crying voice of the people of Great Britain, will not disturb you much in consequence of any concession you may make to France upon these points that were once so much an object of your contention. But, then, are you to sue for peace? I hope you will never be compelled to do any thing that shall have the appearance of meanness. But surely you should look at your situation; no man thinks that this war is to continue for ever. I will not state any thing that appears to be extravagant, or that is likely to shock you; but I should suppose that I allowed you a tolerable length of time if I allowed you ten years to carry on the war. Now I would ask if there be a man among us who thinks, that in the course of ten years you will be likely to stand upon better ground for negociation than you do now? Supposing, then, France to lose all that she has gained in the present contest, to lose the friendship of Prussia, to lose the alliance of Spain, to lose the Netherlands, to lose Holland, to lose the power she now possesses in Italy, and that all these powers were to turn, as if by magic, into alliance with you, do you believe that even in such an event, extravagant and insane though it be to expect it, do you believe, I say, that this new ally of the French, the national debt of Great Britain, would not be equal to them all? One campaign more will add at least forty millions to your debt: do you believe then, I say, that you will have better terms of peace than you may have at this moment? I have put the case as if you could command victory at all points, just in proportion as you have lost it upon the continent, almost without exception, since your disaster at Dunkirk. I say nothing against the valour of the Austrian arms; but I ask, if I am stating any thing unreasonable in the rational prospect of your affairs? But it is said that the people of England should not despond;

and that there is a gloom at this moment over our affairs, which is not warranted by the real state of them. I believe the people of England to be a grave, sober, and sensible people, not easily driven to despondency. But, when they see ministers day after day, week after week, month after month, and year after year, plunging them into an abyss of ruin; when they see that ministers at one time talk triumphantly, and call for confidence and money to march to Paris, and then again call for more confidence and more money to prevent the French from marching to London, I cannot much wonder even at their beginning to doubt the propriety of the career of those who thus load them. Let the people of England be fairly described. Let them be called gloomy, if you please; desponding, if you please; but above all things let them not be called impatient. What have they not been told that is false? What have they not suffered? and yet without any symptom of impatience. Do not, therefore, let us mock or insult them. I hope it will be shewn this night, that we are determined to represent the sense they have of their own affairs, and that we will no longer confide in the minister who has so often and so shamefully deceived them; but that, like representatives, we will take their affairs into our own hands, and speak their general wish for the restoration of peace in the only manner in which it is likely to be effectual. I know that the people of this country have long wished for peace. Every man, therefore, in this House, who is of that opinion, should declare it this night by his vote. If you trust to the professions of the minister, you will be deceived, as you have been. Declare your opinion to be in favour of peace, and the people of this country will not fail to keep you in countenance. They have spirit enough left, notwithstanding the attempts that have been made to deprive them of it, to enforce such a declaration, whatever the minister may think of it. Should this House come to the declaration which is now before you, does any man, who is the representative of a county; does any man, who is the representative of a manufacturing city or town; does any man, who is the representative of any populous place in this kingdom, fear that his constituents will disapprove of his conduct? Do you not, on the contrary, all know, that they will thank you? Would any man in this House be ashamed or afraid to meet his constituents to-morrow, after having voted for this motion? Does any such man think that an explanation of his conduct to his constituents will be necessary? But what will they do who vote against this motion? Why, they will say that, indeed, they are friends to peace; but that they did the best they could to obtain it, by leaving the

subject in the hands of the executive government. There is nothing which they will not say in order to convince the public that they are favourable to peace; and they will be believed in their assertions, pretty much in the same manner as those are who profess to be advocates for the abolition of the slave trade, while they vote for its continuance. Do not let us imagine that we can deceive the public by our professions. They are too much enlightened, and they feel too much to be imposed upon by us. Let us not perpetually talk of wishes for peace; let us do something towards obtaining peace; let us vote for peace. Let us not content ourselves with saying we are friends to peace; let us not trust to ministers; that we have done much too long; now let us act for ourselves!

With regard to the particular words of this motion, perhaps had I penned it, I might have chosen other words, because I am of opinion it does not go quite far enough; but upon that score I do not see any thing material to object. I am sure, that if you adopt it more will be done than you can hope to do by confiding in the minister. It desires the king to explain the reason why negociation has not been renewed. I am sure that is necessary in the opinion of all Europe, for the reasons hitherto assigned have been much too equivocal. The minister says, that the French have misrepresented the conduct of our executive government in the late negociation. I do not know that they have not; but an explanation will do us no harm. I believe that Lord Malmesbury was instructed to insist on the French giving up Belgium as a *sine qua non*. I believe, too, that such is the general opinion of Europe. The minister is always explicit in this House no doubt, since he convinces the majority of it; but with all his command of words, it must be confessed, that, out of this House, no man is more unfortunate in his explanations. The French directory misunderstand him, the contractors for the loan misunderstand him, the bankers misunderstand him, the Lord Lieutenant of Ireland misunderstands him, and even the directors of the Bank of England, who takes notes of his conversation, for the express purpose of being accurate, misunderstand him! I wish, therefore, in future, that in all public affairs he would condescend to employ some other person whose knowledge of words is more upon a level with the rest of mankind than his own, in order that men of ordinary capacities may stand a chance of comprehending his meaning. I shall only add, that, above all, the consideration you should have in your minds this night, is the hitherto admirable, if not astonishing patience of the people of England, under all the calamities which the minister has heaped upon them, and the duty which you owe to them, to speak their wishes for peace.

The House divided on the question, "That the other orders of the day be now read,

	Tellers.			Tellers.	
YEAS	Mr. Neville Mr. J. Smyth	291.	NOES	Mr. Pollen Mr. Jekyll	85.

Mr. Pollen's motion was consequently lost.

Mr. Fox's Motion for the Repeal of the Treason and Sedition Bills.

May 23.

THIS day, in pursuance of the notice he had given,

Mr. Fox rose and said:—I shall not have occasion, Sir, to detain the House for any considerable length of time in stating the reasons that induce me to call their attention to the memorable acts of the last parliament, a motion for the repeal of which I intimated before the holidays; nor will it be necessary for me to say much in answer to the misrepresentations that have been made on account of my having delayed the motion so long. The circumstances that have recently occurred, particularly the measure of the stoppage of cash payments at the bank, so totally engrossed the public attention, and engaged the time of the House, that I did not think it right to bring forward this discussion, and instead of deferring it by adjournments from week to week, I directly and openly announced it for the present period. I have never, Sir, had but one opinion of the two obnoxious bills, which, at the time they were passed, I conceived to be most portentous to the country, Every reflection that I have made upon the subject, and all the experience that we have had since they were passed, have served to corroborate my original feeling, and therefore it is, that I now rise to move for the repeal of those two laws.

With respect to one of the two bills, that which came to us from the Lords, under the title of "a bill for the better preservation of his majesty's person and government against treasonable practices," I shall make but one or two observations, though every part of it continues to excite my heartfelt abhorrence. The first great objection to that act is, that it extends unnecessarily the statutes of treason, and carries them to a length by no means consistent with sound policy as to their avowed object, the king's safety, nor consistent with

the tranquillity and constitution of the realm. The memorable statute of Edward III. was found to be sufficient to prevent the crime of treason; and experience has taught us, that all the forced constructions that have been put on that statute have served rather to lower than to heighten its force. Its operation has proved that the life of the king is sufficiently guarded, and every extension of it beyond that great and national object has only served to take away the reverence which its simplicity excited in the hearts of the people. That simplicity impressed upon the mind a sanction which it was impossible to derive from intricate and nice constructions. The people saw, in its noble and generous frame, security for themselves; by the reverence in which it held the sacred person of their king, they saw that, for the security of his person, even the imagination of his death was provided against; and the law was so clearly defined, so short, and so simple, that no danger to the well-meaning could be created by its operation. In the reign of Queen Elizabeth laws were enacted for the preservation of her person and government, for which the turbulence of the times was the apology, but which no person could contemplate without indignation. In the period of King Charles II., similar suspicions were entertained of numbers of persons being disaffected to the government, and some severe and scandalous laws were enacted for the preservation of the king's person. What is the impression that these laws have made upon every person who has attentively considered the history of the times? That they were enacted upon a consciousness that the conduct of the government was such as to provoke disaffection in the minds of the people; and this must always be the effect of rigorous and severe laws. It was made highly penal to say, that Charles II. was a papist. Why? Because, in truth, he was so. No law would, in the present day, be thought necessary for the preservation of the character of George the Third, against the charge of his being a Roman catholic, because any such charge would be too contemptible for notice. His majesty's well-known character is the best protection against such an imputation, and the very enacting of such a law would betray a consciousness that there was ground for the imputation. The laws of Charles II. were made in this spirit; they were received by the people, and have been received by posterity in this spirit; and such laws can never have any other effect than to excite similar suspicions, and to weaken the government which they profess to support. The only other part of the bill to which I shall allude, and which, in my mind, is very important, is the provision with respect to political libels. It enacts, that, upon a second conviction, judges may be enabled to inflict punish-

ments of a kind so barbarous and inhuman as to shock the heart of man. When you look back to the judgments that have been past in former periods of our history, when you reflect on the prejudices and passions to which our frail nature is subject, when you think on the possibility that judges may be as servile, as corrupt, or as cruel in future times as they have been in past, you will, perhaps, be able to form a just estimate of the character of a law that enables them to inflict a punishment of so dreadful a kind for an offence so indefinite and doubtful as a political libel. You will think with me, that the punishment of fine and imprisonment is fully sufficient to the crime — if crime it be — of publishing the most extravagant political opinion as to the form of governing a community. If this bill had passed a century ago, how many men, whose estimable characters have made them dear to mankind, might have been banished to Botany Bay, and condemned by the barbarous sentence of an inhuman judge to the society of a set of beings whom vice had degraded, and crimes of every nature had expelled from all rational intercourse with man! Would not the writings of Locke, writings that have so greatly enlightened and benefited the country, have probably condemned their author to this horrible exile? But, without going back to a period so distant, can we deny that, in a period much nearer our own times, the violence of factious spirit might have hurried even judges of our own day to the infliction of this detestable punishment if this law had then had existence? In the beginning of the present reign complaints were made of the atrocious character of the public libels then published, and in the heat and fury of zeal, prosecutions were carried on with a bitterness, upon which no person of moderation can reflect without shame and regret. Personal considerations mixed with the motives of public decorum; and though I hope they did not influence either the prosecutors or the judges, yet I submit to the House, whether the temper of the times was not such as to make it highly probable that Mr. Alderman Wilkes, upon his second conviction, might have been doomed to this horrid fate. I am not sure that our nature is so likely to be purified by public situations of trust and power, as to be superior to all base and malignant passions; and I am not sure but that, in the spirit of those times, Mr. Wilkes might have been the victim of a persecuting rage. I have not the honour of that gentleman's acquaintance, nor have I, in the course of our political lives, frequently agreed with him in opinion; but now that the intemperance of the time is past, I submit to the House what must be the feeling of every liberal heart at the idea of condemning a person of such high

attainments, so dear to the society in which he lives, so exemplary as a magistrate, and who has shewn himself to be so zealous a defender of the prerogatives of the crown, to a punishment so degrading and so abhorrent. And yet, if the law had existed, would it not have been executed? If it had existed but a few years ago, would it not have been executed in many other instances; if juries could have been found to second the wishes of government? Of the willingness of government to go to the full extent of this inhuman law, Scotland has given us an indubitable proof. Scotland was said to have had this barbarous law, though it had never been acted upon. It was asserted, that there a law existed of so barbarous a tendency, as to enable the judges to banish a man from all civilized society, and condemn him to live at the extremity of the earth with the most degraded of his species. I am convinced, not merely on the authority of the most learned persons of that country, but on the information that I have been able to acquire for myself, that no such law did exist in Scotland, and that those who acted upon it will one day be brought to a severe retribution for their conduct. But the apprehension of the existence of such a law has displayed to us the character of our government, and proved that we have a ministry capable of condemning their fellow creatures to this monstrous punishment, for the mere exposition of tenets on government different from their own. They made it their boast, that by means of this law they had gained the triumph of political opinion, and the sacrifice of a number of human beings, of enlightened minds and of moral character, for the mere offence of carrying doctrines to excess — for I admit, that in some instances they carried their doctrines to excess. The publication of political opinion; that was the crime. What was the punishment? Death, of the most aggravated, of the most procrastinated, of the most cruel nature. They were sent, not into banishment merely, but sunk and degraded to an association with villany and ignorance and crime; sent to a country where, possibly, their health might be affected by the climate; but that was little in consideration of the despondency of their own feelings. I speak of one in particular — of Mr. Gerald, whose elegant and useful attainments made him dear to the circles of literature and taste; bred to enjoyments in which his accomplishments fitted him to participate, and endowed with talents that rendered him valuable to his country, he, among others, was the object of this persecuting spirit; the punishment to such a man was certain death, and accordingly he sunk under the sentence, the victim of virtuous, wounded sensibility. There may be times of alarm when men, under the influence of terror be-

come insensible to the dictates of justice and humanity. It has been truly said, that no passion is so calculated to harden the heart, and to make it sanguinary, as great fear; and accordingly we find that the most inhuman tyranny has always had its foundation in the hearts of those whose actions condemned them to incessant terror. In a moment of alarm, real or artificial, it is not to be wondered that nations, as well as individuals, should be lost to the dictates of reason and humanity. Ministers succeeded in spreading an alarm over this country, under the influence of which they made Englishmen forget and forego their natural feelings of justice and humanity; but now that this time is happily past, I trust that we shall also recover our genuine feelings, and that we shall not suffer an act to exist upon the statute book, so disgraceful to our criminal code, and by which, in some future moment of passion, new acts of horror, under the name of judicial punishment, may be perpetrated.

These are the two principal features of that act that merit your attention. With respect to the other act, for the prevention of seditious meetings and assemblies, without inquiring whether the rights taken away by that act were proper subjects of legislation, I may, at least, doubt the propriety of their being made so. The statute clearly affects rights which, in their very nature and essence, must have been antecedent to the power of legislation, and it is not merely a question of morality, but of the highest political prudence, whether rights that are principles, rights which make the foundation of the legislature itself, and without which no legislation can be legitimate, ought to be made the provisions of a statute. It is a manifest axiom in a popular government, that man has the fundamental right to state his opinion; this right must be recognized, since it was on the exercise of this right that the government itself was formed. Need I illustrate the doctrine? It is recognized in the bill of rights. No man will deny that the right of petition to parliament is as inherent to the people of England as the right of petition to the crown. Why, then, did not the bill of rights state the one as well as the other? Why? but because the one had been attacked and questioned, not the other: and it has been truly said of the bill of rights, that it only asserted the privileges which had been outraged; it did not enumerate all the rights which had not come into dispute. But it is said, that this is not the first instance in which difficulties have been thrown in the way of petition; and reference is made to the act of Charles II. in which distinction is made between assemblies convoked by the sheriff, persons entitled to the elective franchise, and other persons. No argument, in my mind, can be so

dangerous as that which raises distinctions as to the right of petition. To say that those only enjoy the right of petition who possess the elective franchise, is to bring it into danger; good sense would make the argument go the other way; for surely if any description of persons more than another ought to enjoy the right of petition, it is those persons who, having no vote at elections, have no representatives in this House to whom they can directly apply, and who may be made the organ of their sentiments. But I deprecate and deplore these distinctions, since every class of the community ought to have this right secured to them, and be made as free to this privilege as to the air they breathe. This act is outrageous, because it throws difficulties in the way of the exercise of the right, and enables sheriffs to prevent meetings; and it has been proved, that since the passing of this act more refusals have been given by magistrates than in any former period. This has been particularly the case since recent calamities have disposed the country to assemble so generally to petition for the dismission of ministers. Very extraordinary reasons have been assigned by some of them for refusing to convoke meetings. The sheriff of Suffolk refused, because the subject had been debated in parliament, and because he was going to London. Another magistrate refused, though called upon by a numerous body of persons, because he would not disturb the unanimity of the county. The power of dispersing meetings was as obnoxious as the refusal to convoke them. In the county in which I live, the sheriff, after putting the question, said, there was a visible majority of votes, but because he did not know whether they were all freeholders that were present, he refused to sign the proceedings, and give validity to the record. Another person on this capricious objection could not take the chair, because the sheriff had the power to disperse the meeting; and thus an attempt was made to defeat the petition in the county of Surrey, even under the colour of complying with the statute. In many other cases difficulties have been found that make it vexatious, and almost impossible, to exercise this right under the provisions of this act. It requires so much trouble to comply with all the provisions of the act, where the meeting is not called by the regular magistrate, that it is next to an impossibility to carry the exercise of the right generally into effect. In some instances, where zeal and perseverance had conquered every obstacle, inconveniences were suffered that would deter men on ordinary occasions from assembling. In Westminster, for instance, where the meeting was called in strict conformity to the act, the day of meeting was most unfavourable in point of weather, but it was found inconvenient to adjourn, because they must have re-

newed all the formalities required by the statute. And what is the benefit expected to be derived from all this? Are provisions like these likely to alter the minds of men? Are they calculated to prevent communication, and stifle the opinions and discontents of a people? If it were a new and an abstract question, there might, perhaps, be a difference of opinion upon the subject; but, unfortunately, a book is laid open to us, in which we may read, in most legible characters, the true character and consequences of such a measure — that book is the kingdom of Ireland. In the year 1794 a convention bill was passed in Ireland to prevent meetings of the people. What was the consequence? Ministers boasted of the success of the measure: they flattered themselves they had succeeded in preventing meetings; but I have now the authority of the parliament of Ireland for saying that what they had prevented publicly had been done in private; and that ever since the year 1791 meetings of the people had been held, which, up to the year 1795, were small and insignificant — small, because up to that time they still had the power of meeting in public, and discussing their grievances openly, and without reserve. Up to the year 1794, then, they were small and harmless — but then comes the convention bill, that forces them into clandestine and secret meetings by midnight; then comes correspondence with the foreign enemy, and all the terrifying and alarming plots which the report of the House of Lords of Ireland has ascribed to the people of that distracted country. What deplorable ignorance of the human heart to think that, by a mere convention bill to prevent the meetings without redressing grievances, they could make men forget by making them silent! What criminal ignorance to conceive that, by damming up a torrent, it would not force its way in another direction! But it seems that, as our act has not yet produced the same effects in England, we must not go for instruction to the sister kingdom. I see no sense in any such argument: human nature is the same in all countries; if you prevent a man who feels himself aggrieved from declaring his sentiments, you force him to other expedients for redress. Do you think that you gain a proselyte where you silence a declaimer? No; you have only by preventing the declaration of grievances in a constitutional way, forced men to more pernicious modes of coming at relief. In proportion as opinions are open, they are innocent and harmless. Opinions become dangerous to a state only when persecution makes it necessary for the people to communicate their ideas under the bond of secrecy. Do you believe it possible that the calamity which now rages in Ireland would have come to its present height, if the people had been allowed to

meet and divulge their grievances? Publicity makes it impossible for artifice to succeed, and designs of a hostile nature lose their danger by the certainty of exposure. But it is said that these bills will expire in a few years; that they will expire when we shall have peace and tranquillity restored to to us. What a sentiment to inculcate! You tell the people, that when every thing goes well, when they are happy and comfortable, then they may meet freely, to recognize their happiness, and pass eulogiums on their government; but that in a moment of war and calamity, of distrust and misconduct, it is not permitted them to meet together, because then, instead of eulogizing, they might think proper to condemn ministers. What a mockery is this! What an insult to say that this is preserving to the people the right of petition! To tell them that they shall have a right to applaud, a right to rejoice, a right to meet when they are happy, but not a right to condemn, not a right to deplore their misfortunes, not a right to suggest a remedy! I hate these insidious modes of undermining and libelling the constitution of the country. If you mean to say, that the mixed and balanced government of England is good only for holidays and sunshine, but that it is inapplicable to a day of distress and difficulty, say so. If you mean that freedom is not as conducive to order and strength as it is to happiness, say so; and I will enter the lists with you, and contend, that among all the other advantages arising from liberty, are the advantages of order and strength in a supereminent degree, and that too, in the moment when they are most wanted. Liberty is order. Liberty is strength. Good God, Sir, am I, on this day, to be called upon to illustrate the glorious and soothing doctrine? Look round the world and admire, as you must, the instructive spectacle! You will see that liberty not only is power and order, but that it is power and order predominant and invincible; that it derides all other sources of strength; that the heart of man has no impulse, and can have none that dares to stand in competition with it; and if, as Englishmen, we know how to respect its value, surely the present is the moment of all others, when we ought to secure its invigorating alliance. Whether we look at our relative situation with regard to foreign powers, with regard to the situation of the sister kingdom, and with regard to our own internal affairs, there never was a moment when national strength was so much demanded, and when it was so incumbent upon us to call forth and embody all the vigour of the nation, by rousing, animating, and embodying all the love of liberty that used to characterize the country, and which, I trust, is not yet totally extinct. Is this a moment to diminish

our strength, by indisposing all that part of the nation whose hearts glow with ardour for their original rights, but who feel with indignation that they are trampled upon and overthrown? Is not this a moment when, in addition to every other emotion, freedom should be roused as an ally, a supplementary force, and a substitute for all the other weak and inefficient levies that have been suggested in its stead? Have we not been nearly reduced to a situation, when it was too perilous, perhaps, to take the right course? May we not be again called upon for exertions that will demand the union of every hand and every heart in the kingdom? What might not this House do, if this House had the opinion of the country with it? Do not let us say, then, that we are to increase the force of the country by stifling opinion. It is only by promoting it, by giving facility to its expression, by meeting it with open hearts, by incorporating ourselves with the sense of the nation, that we can again revive that firm and compact power of British strength, that sprung out of British liberty.

Sir, I will not trouble you with more on the subject. In proportion as you throw difficulties in the way of petition, you deprive yourselves of strength; you alienate every heart whose voice you stifle; you drive men to correspondence with foreign nations, when you debar them from corresponding with you; and this, if we may believe the report of the Irish parliament, was the case with Ireland. When she petitioned, addressed, and remonstrated, she had no power, but from small beginnings, that is small, until a convention bill had passed, until a powder bill had passed, and all the other acts of insanity and rigour, she rose from small meetings of mere petition, to a concerted, armed, and embodied union of one hundred thousand persons. Good God! shall we not, speaking the same language, possessing the same character, struggling for the same constitution, take warning from the example that is set, and conciliate the people of England? Or shall we, with our eyes open, run upon our destiny, as antient fables tell of men devoted running into the jaws of the perdition to which they were doomed? Sir, the present times hold out examples too legible for mistake. If demonstration shall fail to work upon us, we are undone; and if any truth has been more strikingly illustrated than another, it is this, that you shall not touch the liberty of the lower classes of the people without making the higher orders pay a severe retribution. You shall not take away one privilege, you shall not diminish one right, without suffering ten-fold, fifty-fold, an hundred-fold yourselves. You shall not commit changes upon the people without changing your own power

into weakness, your economy into profusion. These are the doctrines applicable to these times. As men become enlightened, they advance in liberty; in that career seldom are any found retrograde; and in proportion to their advances you must concede to them. It has been said, as an argument against the emancipation of slaves, that the negroes are not sufficiently enlightened for freedom. The French Mulattoes, it is owned, are more capable of enjoying it; and passing from them to the most enslaved nations of Europe, we see that the approach of light makes it necessary for the governor to acknowledge at length that they are human. But, shall the preposterous imagination be fostered, that Englishmen, bred in liberty, the first of human kind who asserted the glorious distinction of forming for themselves their social compact, can be condemned to silence upon their rights? Is it to be conceived that men who have enjoyed, for such a length of days, the light and happiness of freedom, can be restrained and shut up again in the gloom of ignorance and degradation? As well, Sir, might you try, by a miserable dam, to shut up the flowing of a rapid river; the rolling and impetuous tide would burst through every impediment that man might throw in its way, and the only consequence of the impotent attempt would be, that having collected new force by its temporary suspension, enforcing itself through new channels, it would spread devastation and ruin on every side. The progress of liberty is like the progress of the stream; it may be kept within its banks; it is sure to fertilize the country through which it runs; but no power can arrest it in its passage; and short-sighted, as well as wicked, must be the heart of the projector that would strive to divert its course.—Mr. Fox concluded by moving to bring in a bill for the repeal of the said acts.

After the motion had been opposed by Mr. Serjeant Adair, Mr. Elford, Sir Richard Glynn, Colonel Fullarton, Mr. Ellison, and others, the House divided:

	Tellers.			*Tellers.*	
YEAS	Mr. Whitbread, Mr. St. John	52.	NOES	Mr. Neville, Mr. Pierrepont	260.

So it passed in the negative.

Mr. Grey's Motion for a Reform in Parliament.

May 26.

Mr. Grey, in pursuance of previous notice, moved this day, "That leave be given to bring in a bill to amend and regulate the election of members to serve in the Commons House of parliament." He proposed that the county representation should remain nearly on the same footing; only, that instead of 92 county members, there should be 113. For instance, instead of two for the county of York, that there should be two for each riding; and so in other counties where the present representation was not proportionate to the extent of population. In order to put an end to compromises, each county or riding should be divided into grand divisions, each of which should return one representative. With regard to the qualifications of electors, instead of confining the right of election to freeholders, it should be extended to copy and lease-holders, who were bound to pay a certain annual rent, a certain number of years. But the reform which he had to propose, in the other branch of representation, was of a much more extensive nature. It was, that the remaining 400 members should be returned by one description of persons, which were householders. If it were possible, one person should not be permitted to vote for more than one member of parliament. In order to prevent expence, the pole ought, he said, to be taken through the whole kingdom at one time. This was the outline of his plan; to state that it could be obtained at first with exactness, or was not liable to difficulties, would be presumptuous and absurd. But he flattered himself there would be found no insuperable objections to it. The land-owner would find his property suitably represented; the merchant support in the householders; and men of respectability and talents in the different professions would find a fair door open for admission into parliament. The only persons whom he wished to exclude from that House, were men who were neither possessed of landed property, nor engaged in commercial enterprize, nor professors of any particular science, and who, without property, without industry, and without talents, obtained seats in the House of Commons by the influence of great men, for the purpose, not of consulting the good of the people, but of promoting their own interests. The motion was seconded in an elaborate and eloquent speech by Mr. Erskine, and supported by Sir Francis Burdett, Sir Richard Hill, Mr. Milbanke, Mr. Sheridan, Mr. Barham, Mr. William Smith, Mr. Pollen, and Sir William Dolben. Mr. Pitt opposed the motion upon precisely the same grounds on which his own propositions on the same subject had been formerly contested. It was also opposed by Mr. Robert Thornton, Sir William Geary, Lord Hawkes-

bury, Sir William Young, and Sir Gregory Page Turner. At the close of the debate,

Mr. Fox rose, and spoke as follows: — Much and often, Sir, as this question has been discussed, and late as the hour is, I feel it my duty to deliver my opinion on a measure of high importance at all times, but which, at the present period, is become infinitely more interesting than ever. I fear, however, that my conviction on this subject is not common to the House: I fear that we are not likely to be agreed as to the importance of the measure, nor as to the necessity; since by the manner in which it has been discussed this night, I foresee that, so far from being unanimous on the proposition, we shall not be agreed as to the situation and circumstances of the country itself, much less as to the nature of the measures which, in my mind, that situation and those circumstances imperiously demand. I cannot suppress my astonishment at the tone and manner of gentlemen this day. The arguments that have been used would lead the mind to believe that we are in a state of peace and tranquillity, and that we have no provocation to any steps for improving the benefits we enjoy, or retrieving any misfortune that we have incurred. To persons who feel this to be our situation, every proposition tending to meliorate the condition of the country must be subject of jealousy and alarm: and if we really differ so widely in sentiment as to the state of the country, I see no probability of an agreement in any measure that is proposed. All that part of the argument against reform which relates to the danger of innovation, is strangely misplaced by those who think with me, that, so far from procuring the mere chance of practical benefits by a reform, it is only by a reform that we can have a chance of rescuing ourselves from a state of extreme peril and distress. Such is my view of our situation. I think it so perilous, so imminent, that, though I do not feel conscious of despair, an emotion which the heart ought not to admit, yet it comes near to that state of hazard, when the sentiment of despair, rather than of hope, may be supposed to take possession of the mind. I feel myself to be the member of a community, in which the boldest man, without any imputation of cowardice, may dread that we are not merely approaching to a state of extreme peril, but of absolute dissolution; and with this conviction impressed upon my mind, gentlemen will not believe that I disregard all the general arguments that have been used against the motion on the score of the danger of innovation, from any disrespect to the honourable members who have urged them, or to the ingenuity with which they have been pressed; but because I

am firmly persuaded that they are totally inapplicable to the circumstances under which we come to the discussion. With the ideas that I entertain, I cannot listen for a moment to suggestions that are applicable only to other situations, and to other times; for unless we are resolved pusillanimously to wait the approach of our doom, to lie down and die, we must take bold and decisive measures for our deliverance. We must not be deterred by meaner apprehensions. We must combine all our strength, fortify one another by the communion of our courage; and by a seasonable exertion of national wisdom, patriotism, and vigour, take measures for the chance of salvation and encounter with unappalled hearts, all the enemies, foreign and internal, all the dangers and calamities of every kind which press so heavily upon us. Such is my view of our present emergency; and under this impression, I cannot for a moment listen to the argument of danger arising from innovation, since our ruin is inevitable if we pursue the course which has brought us to the brink of the precipice.

But before I enter on the subject of the proposition that has been made to us, I must take notice of an insinuation that has again and again been flung out by gentlemen on the other side of the House, on party feelings, in which they affect to deplore the existence of a spirit injurious to the welfare of the public. I suspect, by the frequent repetition of this insinuation, that they are desirous of making it be believed, or that they understand themselves by the word party feelings, an unprincipled combination of men for the pursuit of office and its emoluments, the eagerness after which leads them to act upon feelings of personal enmity, ill-will, and opposition to his majesty's ministers. If such be their interpretation of party feelings, I must say, that I am utterly unconscious of any such feeling, and I am sure that I can speak with confidence for my friends, that they are actuated by no motives of so debasing a nature. But if they understand by party feelings, that men of honour, who entertain similar principles, conceive that those principles may be more beneficially and successfully pursued by the force of mutual support, harmony, and confidential connexion, then I adopt the interpretation, and have no scruple in saying, that it is an advantage to the country; an advantage to the cause of truth and the constitution; an advantage to freedom and humanity; an advantage to whatever honourable object they may be engaged in, that men pursue it with the united force of party feeling; that is to say, pursue it with the confidence, zeal, and spirit, which the communion of just confidence is likely to inspire. And if the honourable gentlemen apply this description of party

feeling to the pursuit in which we are engaged, I am equally ready to say, that the disastrous condition of the empire ought to animate and invigorate the union of all those who feel it to be their duty to check and arrest a career that threatens us with such inevitable ruin. For, surely, those who think that party is a good thing for ordinary occasions, must admit that it is peculiarly so on emergencies like the present; it is peculiarly incumbent upon men who feel the value of united exertion to combine all their strength to extricate the vessel when in danger of being stranded.

But gentlemen seem to insinuate, that this union of action is directed more against persons than measures, and that allusions ought not to be made to the conduct of particular men. It is not easy to analyse this sort of imputation, for it is not easy to disjoin the measure from its author, nor to examine the origin and progress of any evil without also inquiring into and scrutinising the motives and the conduct of the persons who gave rise to it. How, for instance, is it possible for us to enter into the discussion of the particular question now before the House, without a certain mixture of personal allusion? We complain that the representation of the people in parliament is defective. How does this complaint originate? From the conduct of the majorities in parliament. Does not this naturally lead us to inquire whether there is not something fundamentally erroneous in election, or something incidentally vicious in the treatment of those majorities? We surely must be permitted to inquire whether the fault and calamity of which we complain is inherent in the institution, in which nothing personal is to be ascribed to ministers, as it will operate in a more or less degree in all the circumstances in which we may find ourselves; or whether it is not an occasional abuse of the original institution, applicable only to these times and to these men, in which they are peculiarly guilty, but from which system representation itself ought to stand absolved.

I put the question in this way, in order to shew that a certain degree of personality is inseparable from the discussion, and that gentlemen cannot with justice ascribe to the bitterness of party feelings, what flows out of the principle of free inquiry. Indeed, this is a pregnant example of there being nothing peculiarly hostile to persons in this subject; it is not a thing now taken up for the first time, meditated and conceived in particular hostility to the right honourable the chancellor of the exchequer. Be it remembered, that he himself has again and again introduced and patronized the same subject, and that on all the occasions on which he has brought it forward it has invariably received my approbation and sup-

port. When he brought it forward first in the year * 1782, in a time of war, and of severe public calamity, I gave to the proposition my feeble support. Again, when he brought it forward in 1783 †, at a time when I was in an office high in his majesty's service, I gave it my support. Again, in 1785, when the right honourable gentleman himself was in place, and renewed his proposition, it had my countenance and support ‡. I have invariably declared myself a friend to parliamentary reform by whomsoever proposed; and though in all the discussions that have taken place, I have had occasion to express my doubt as to the efficacy of the particular mode, I have never hesitated to say, that the principle itself was beneficial; and that though not called for with the urgency which some persons, and, among others, the right honourable gentleman, declared to exist, I constantly was of opinion that it ought not to be discouraged. Now, however, that all doubt upon the subject is removed by the pressure of our calamities, and the dreadful alternative seems to be, whether we shall sink into the most abject thraldom, or continue in the same course until we are driven into the horrors of anarchy, I can have no hesitation in saying, that the plan of recurring to the principle of melioration which the constitution points out, is become a *desideratum* to the people of Great Britain. Between the alternatives of base and degraded slavery on the one side, or of tumultuous, though, probably, short-lived anarchy on the other, though no man would hesitate to make his choice, yet, if there be a course obvious and practicable, which, without either violence or innovation, may lead us back to the vigour we have lost, to the energy that has been stifled, to the independence that has been undermined, and yet preserve every thing in its place, a moment ought not to be lost in embracing the chance which this fortunate provision of the British system has made for British safety.

This is my opinion, and it is not an opinion merely founded upon theory, but upon actual observation of what is passing in the world. I conceive, that if we are not resolved to shut our eyes to the instructive lessons of the times, we must be convinced of the propriety of seasonable concession. I see nothing in what is called the lamentable example of France to prove to me that timely acquiescence with the desires of the people is more dangerous than obstinate resistance to their demands; but the situations of Great Britain and France are so essentially different, there is so little in common between the character of England at this day, and the character of

* See Vol. ii. p. 67. † Ibid. p. 171. ‡ Vol. iii. p. 145.

France at the commencement of the Revolution, that it is impossible to reason upon them from parity of circumstances or of character. It is not necessary for me, I am sure, to enter into any analysis of the essential difference between the character of a people that had been kept for ages in the barbarism of servitude, and a people who have enjoyed for so long a time the light of freedom. But we have no occasion to go to France for example; another country nearer to our hearts, with which we are better acquainted, opens to us a book so legible and clear, that he must be blind indeed who is not able to draw from it warning and instruction; it holds forth a lesson which is intelligible to dulness itself. Let us look to Ireland, and see how remarkably the arguments and reasoning of this day tally with the arguments and reasoning that unfortunately prevailed in the sister kingdom, and by which the king's ministers were fatally able to overpower the voice of reason and patriotism, and stifle all attention to the prayers and applications of the people. It is impossible for any coincidence to be more perfect. We are told, that there are in England, as it is said there were in Ireland, a small number of persons desirous of throwing the country into confusion, and of alienating the affections of the people from the established government.

Permit me, Mr. Speaker, in passing to observe, that the right honourable the chancellor of the Exchequer did not represent my learned friend (Mr. Erskine) quite correctly, when he stated that my learned friend admitted the existence of such men. On the contrary, the argument of my learned friend was hypothetical; he said, if it be true, as it is so industriously asserted, that such and such men do exist in the country, then surely in wisdom you ought to prevent their number from increasing by timely conciliation of the body of moderate men, who desire only reform. In this opinion I perfectly acquiesce with my learned friend. I believe that the number of persons who are discontented with the government of the country, and who desire to overthrow it, is very few, indeed. But the right honourable gentleman says, that the friends of moderate reform are few, and that no advantage is to be gained by conceding to this very small body what will not satisfy the violent, which he contends is more numerous; and he vehemently demands to know whom he is to divide, whom to separate, and what benefit he is to obtain from this surrender? To this I answer, that if there be two bodies, it is wisdom, it is policy, to prevent the one from falling into the other, by granting to the moderate what is just and reasonable. If the argument of the right honourable gentleman be correct, the necessity for concession is more imperious; it is only by these

means that you can check the spirit of proselytism, and prevent a conversion that by and by will be too formidable for you to resist. Mark this, and see how it applies to the precedent of Ireland. In the report that has been made by the parliament of that kingdom on the present disorders, it is said, that so long ago as the year 1791, there existed some societies in that country, who harboured the desire of separation from England, and who wished to set up a republican form of government. The report does not state what was the precise number of those societies in 1791; it declares, however, that the number was small and insignificant. From small beginnings, however, they have increased to the alarming number of 100,000 men in the province of Ulster only. By what means have they so increased, and who are the proselytes that swell their numbers to so gigantic a size? Obviously the men who had no such design originally; obviously the persons who had no other object in view in all the petitions which they presented, than catholic emancipation and reform of parliament. This is also admitted by the report. The spirit of reform spread over the country; they made humble, earnest, and repeated applications to the Castle for redress; but there they found a fixed determination to resist every claim, and a rooted aversion to every thing that bore even the colour of reform. They made their applications to all the considerable characters in the country, who had on former occasions distinguished themselves by exertions in the popular cause; and of these justly eminent men I desire to speak as I feel, with the utmost respect for their talents and virtues. But, unfortunately, they were so alarmed by the French Revolution, and by the cry which had been so artfully set up by ministers of the danger of infection, that they could not listen to the complaint. What was the consequence? These bodies of men, who found it vain to expect it from the government at the castle, or from the parliament, and having no where else to recur for redress, joined the societies, whom the report accuses of cherishing the desire of separation from England; and became converts to all those notions of extravagant and frantic ambition, which the report lays to their charge, and which threatens consequences so dreadful and alarming, that no man can contemplate them without horror and dismay.

What, then, is the lesson to be derived from this example, but that the comparatively small societies of 1791 became strong and formidable by the accession of the many who had nothing in common with them in the outset? I wish it were possible for us to draw the line more accurately between the small number that the report describes to have had mischie-

vous objects originally in view, and the numerous bodies who were made converts by the neglect of their petition for constitutional rights. Is it improbable that the original few were not more than ten or twenty thousand in number? What, then, do I learn from this? That the impolitic and unjust refusal of government, to attend to the applications of the moderate, made 80 or 90,000 proselytes from moderation to violence. This is the lesson which the book of Ireland exhibits! Can you refuse your assent to the moral? Will any man argue, that if reform had been conceded to the 80 or 90,000 moderate petitioners, you would have this day to deplore the union of 100,000 men, bent on objects so extensive, so alarming, so calamitous? I wish to warn you by this example. Every argument that you have heard used this day was used at Dublin. In the short-sighted pride and obstinacy of the government, they turned a deaf ear to the supplicant; they have now, perhaps, in the open field to brave the assertor. Unwarned, untutored by example, are you still to go on with the same contemptuous and stubborn pride? I by no means think that Great Britain is at this moment in the same situation as Ireland. I by no means think that the discontents of this country have risen to such a height as to make us fear for the general peace of the country; but I deprecate the course which has been pursued in Ireland. What England is now, Ireland was in 1791. What was said of the few, they have now applied to the many; and as there are discontents in this country, which we can neither dissemble nor conceal, let us not, by an unwise and criminal disdain, irritate and fret them into violence and disorder. The discontents may happily subside; but a man must be sanguine indeed in his temper, or dull in his intellect, if he would leave to the operation of chance what he might more certainly obtain by the exercise of reason. Every thing that is dear and urgent to the minds of Englishmen presses upon us; in the critical moment at which I now address you, a day, an hour, ought not to elapse, without giving to ourselves the chance of this recovery. When government is daily presenting itself in the shape of weakness that borders on dissolution—unequal to all the functions of useful strength, and formidable only in pernicious corruption—weak in power, and strong only in influence—am I to be told that such a state of things can go on with safety to any branch of the constitution? If men think that, under the impression of such a system, we can go on without a recurrence to first principles, they argue in direct opposition to all theory and all practice. These discontents cannot, in their nature, subside under detected weakness and exposed incapacity. In their progress and increase, (and increase they must,) who shall say that direction can be

given to the torrent, or that, having broken its bounds, it can be kept from overwhelming the country? Sir, it is not the part of statesmen, it is not the part of rational beings, to amuse ourselves with such fallacious dreams; we must not sit down and lament over our hapless situation; we must not deliver ourselves up to an imbecile despondency that would animate the approach of danger; but by a seasonable and vigorous measure of wisdom, meet it with a sufficient and a seasonable remedy. We may be disappointed. We may fail in the application, for no man can be certain of his footing on ground that is unexplored; but we shall at least have a chance for success—we shall at least do what belong to legislators, and to rational beings on the occasion, and I have confidence that our efforts would not be in vain. I say that we should give ourselves a chance, and, I may add, the best chance, for deliverance; since it would exhibit to the country a proof that we had conquered the first great difficulty that stood in the way of bettering our condition — that we had conquered ourselves. We had given a generous triumph to reason over prejudice; we had given a death-blow to those miserable distinctions of whig and tory, under which the warfare had been maintained between pride and privilege; and through the contention of our rival jealousies, the genuine rights of the many had been gradually undermined, and frittered away. I say, that this would be giving us the best chance; because, seeing every thing go on from bad to worse—seeing the progress of the most scandalous waste countenanced by the most criminal confidence, and that the effrontery of corruption no longer requires the mask of concealment—seeing liberty daily infringed, and the vital springs of the nation insufficient for the extravagance of a dissipated government, I must believe, that, unless the people are mad or stupid, they will suspect that there is something fundamentally vicious in our system, and which no reform would be equal to correct. Then, to prevent all this, and to try if we can effect a reform without touching the main pillars of the constitution, without changing its forms, or disturbing the harmony of its parts, without putting any thing out of its place, or affecting the securities which we justly hold to be so sacred, is, I say, the only chance which we have for retrieving our misfortunes by the road of quiet and tranquillity, and by which national strength may be recovered without disturbing the property of a single individual.

It has been said, that the House possesses the confidence of the country as much as ever. This, in truth, is as much as to say, that his majesty's ministers possess the confidence of the country in the same degree as ever, since the majority of

the House support and applaud the measures of the government, and give their countenance to all the evils which we are doomed to endure. I was very much surprized to hear any proposition so unaccountable advanced by any person connected with ministers, particularly as the noble lord (Hawkesbury) had, but a sentence or two before, acknowledged that there had been, to be sure, a number of petitions presented to his majesty for the dismission of his ministers. The one assertion is utterly incompatible with the other, unless he means to assert, that the petitions which have been presented to the throne are of no importance. The noble lord can hardly, I think, speak in this contemptuous manner of the petitions of Middlesex, London, Westminster, Surrey, Hampshire, York, Edinburgh, Glasgow, and many other places, unless he means to insinuate that they are proofs only of our very great industry, and that they are not the genuine sense of the districts from which they come. If the noble lord ascribes them to our industry, he gives us credit for much more merit of that kind than we are entitled to. It certainly is not the peculiar characteristic of the present opposition, that they are very industrious in agitating the public mind. But, grant to the noble lord his position — be it to our industry that all these petitions are to be ascribed. If industry could procure them, was it our moderation, our good will and forbearance, that have made us for fourteen years relax from this industry, and never bring forward these petitions until now? No, Sir, it is not to our industry that they are to be ascribed now, nor to our forbearance that they did not come before. The noble lord will not give us credit for this forbearance; and the consequence is, that he must own, upon his imputation of industry, that the present is the first time when we were sure of the people, and that these petitions are a proof that at length the confidence of the people in ministers is shaken. That it is so, it is in vain for the noble lord to deny. They who in former times were eager to shew their confidence by addresses, have now been as eager to express their disapprobation in petitions for their removal. How, then, can we say that the confidence of the people is not shaken? Is confidence to be always against the people, and never for them? It is a notable argument, that because we do not find, at the general election, very material changes in the representation, the sentiments of the people continue the same, in favour of the war, and in favour of his majesty's ministers. The very ground of the present discussion gives the answer to this argument. Why do we agitate the question of parliamentary reform? Why, but because a general election does not afford to the people the means of ex-

pressing their voice; because this House is not a sufficient representative of the people? Gentlemen are fond of arguing in this circle. When we contend that ministers have not the confidence of the people, they tell us that parliament is the faithful representative of the sense of the country. When we assert that the representation is defective, and shew, from the petitions to the throne, that the House does not speak the voice of the people, they turn to the general election, and say, that at this period they had an opportunity of choosing faithful organs of their opinion; and because very little or no change has taken place in the representation, the sense of the people must be the same. Sir, it is in vain for gentlemen to shelter themselves by this mode of reasoning. We assert, that under the present form and practice of elections, we cannot expect to see any remarkable change produced by a general election. We must argue from experience. Let us look back to the period of the American war. It will not be denied by the right honourable gentleman, that towards the end of that war, it became extremely unpopular, and that the king's ministers lost the confidence of the nation. In the year 1780 a dissolution took place, and then it was naturally imagined by superficial observers, who did not examine the real state of representation, that the people would have returned a parliament that would have unequivocally spoken their sentiments on the occasion. What was the case? I am able to speak with considerable precision. At that time I was much more than I am at present in the way of knowing personally the individuals returned, and of making an accurate estimate of the accession gained to the popular side by that election. I can take upon me to say, that the change was very small indeed: not more than three or four persons were added to the number of those who had from the beginning opposed the disastrous career of the ministers in that war. I remember that, upon that occasion, Lord North made use of precisely the same argument as is now brought forward: "What!" said he, "can you contend the war is unpopular, after the declaration in its favour that the people have made by their choice of representatives? The general election is the proof that the war continues to be the war of the people of England." Such was the argument of Lord North, and yet it was notoriously otherwise; so notoriously otherwise, that the right honourable gentleman, the present chancellor of the exchequer, made a just and striking use of it, to demonstrate the necessity of a parliamentary reform. He referred to this event as to a demonstration of this doctrine. "You see," said he, "that so defective, so inadequate, is the present practice, at least of the elective franchise, that no impression

of national calamity, no conviction of ministerial error, no abhorrence of disastrous war, is sufficient to stand against that corrupt influence which has mixed itself with election, and which drowns and stifles the popular voice." Upon this statement, and upon this unanswerable argument, the right honourable gentleman acted in the year 1782. When he proposed a parliamentary reform, he did it expressly on the ground of the experience of 1780, and he made an explicit declaration, that we had no other security by which to guard ourselves against the return of the same evils. He repeated this warning in 1783 and in 1785. It was the leading principle of his conduct. "Without a reform," said he, "the nation cannot be safe; this war may be put an end to, but what will protect you against another? as certainly as the spirit which engendered the present war actuates the secret councils of the crown, will you, under the influence of a defective representation, be involved again in new wars, and in similar calamities." This was his argument in 1782, this was his prophecy, and the right honourable gentleman was a true prophet. Precisely as he pronounced it, the event happened; another war took place, and I am sure it will not be considered as an aggravation of its character, that it is at least equal in disaster to the war of which the right honourable gentleman complained. "The defect of representation," he said, "is the national disease; and unless you apply a remedy directly to that disease, you must inevitably take the consequences with which it is pregnant." With such an authority, can any man deny that I reason right? Did not the right honourable gentleman demonstrate his case? Good God! what a fate is that of the right honourable gentleman, and in what a state of whimsical contradiction does he stand! During the whole course of his administration, and particularly during the course of the present war, every prediction that he has made, every hope that he has held out, every prophecy that he has hazarded, has failed; he has disappointed the expectations that he has raised; and every promise that he has given, has proved to be fallacious. Yet, for these very declarations, and notwithstanding these failures, we have called him a wise minister. We have given him our confidence on account of his predictions, and have continued it upon their failure. The only instance in which he really predicted what has come to pass, we treated with stubborn incredulity. In 1785, he pronounced the awful prophecy, "Without a parliamentary reform the nation will be plunged into new wars; without a parliamentary reform you cannot be safe against bad ministers, nor can even good ministers be of use to you." Such was his prediction; and it has come upon us. It would seem as if the

whole life of the right honourable gentleman, from that period, had been destined by Providence for the illustration of his warning. If I were disposed to consider him as a real enthusiast, and a bigot in divination, we might be apt to think that he had himself taken measures for the verification of his prophecy. For he might now exclaim to us, with the proud fervour of success, "You see the consequence of not listening to the oracle. I told you what would happen; it is true that your destruction is complete; I have plunged you into a new war; I have exhausted you as a people; I have brought you to the brink of ruin, but I told you before hand what would happen; I told you, that without a reform in the representation of the people, no minister, however wise, could save you; you denied me my means, and you take the consequence!"

But a reform in the representation, say gentlemen on the opposite side of the House, is not called for by the country; and though meetings have been held in various parts of the kingdom, and petitions have come up for the dismissal of ministers, they have not expressed a wish for reform. In answer to this argument it is only necessary to observe, that the restrictions which have been recently laid on meetings of the people and on popular discussion, may serve to account for the question of reform not being mixed with that which was the subject of their immediate consideration. The purpose of the meeting is necessarily specified in the requisition to the sheriff; and if any other business were attempted to be brought forward, the sheriff would have the power of dispersing the meeting. Their silence, therefore, upon the subject is no proof either way. But granting even the fact, that the country does not now call for this reform — a fact which, however, I deny — is the country in such a situation as to make it improbable that the universal demand of a parliamentary reform, which has burst from the people of Ireland, will not be speedily communicated by sympathy to the people of England? When I see that the treatment which the people of Ireland have received upon this subject, has exasperated their minds to such a degree as to throw the whole of that kingdom into confusion, and that we have daily to dread the danger of actual insurrection, shall I not take measures to prevent the rise of a passion that may swell into equal tumult? The nearness of the two countries, the sympathetic interest, the similarity of language, of constitution, and almost of suffering, make it probable that the one nation will catch the disease of the other, unless we interpose a seasonable cure. Is it not wisdom, is it not prudence, to erect a standard around which all the patriotism and moderation of the kingdom may rally, and the government be strengthened against the

violence of the few by the countenance and support of the many?

The right honourable gentleman speaks, Sir, of the strength of government. But what symptom of strength does it exhibit? Is it the cordiality of all the branches of the national force? Is it the harmony that happily reigns in all the departments of the executive power? Is it the reciprocal affection that subsists between the government and the people? Is it in the energy with which the people are eager to carry into execution the measures of the administration, from the heart-felt conviction that they are founded in wisdom, favourable to their own freedom, and calculated for national happiness? Is it because our resources are flourishing and untouched, because our vigour is undiminished, because our spirit is animated by success, and our courage by our glory? Is it because government have in a perilous situation, when they have been obliged to call upon the country for sacrifices, shewn a conciliating tenderness and regard for the rights of the people, as well as a marked disinterestedness and forbearance on their own parts, by which they have, in an exemplary manner, made their own economy to keep pace with the increased demands for the public service? Are these the sources of the strength of government? I forbear, Sir, to push the inquiry. I forbear to allude more particularly to symptoms which no man can contemplate at this moment without grief and dismay. It is not the declarations of right honourable gentlemen that constitute the strengthof a government. That government is alone strong that possesses the hearts of the people; and will any man contend that we should not be more likely to add strength to the state, if we were to extend the basis of the popular representation? Would not a House of Commons, freely elected, be more likely to conciliate the support of the people? If this be true in the abstract, it is certainly our peculiar duty to look for this support in the hour of difficulty. What man who foresees a hurricane is not desirous of strengthening his house? Shall nations alone be blind to the dictates of reason? Let us not, Sir, be deterred from this act of prudence by the false representations that are made to us. France is the phantom that is constantly held out to terrify us from our purpose. Look at France; it will not be denied but that she stands on the broad basis of free representation. Whatever other views the government of France may exhibit, and which may afford just alarm to other nations, it cannot be denied that her representative system has proved itself capable of vigorous exertion.

Now, Sir, though I do not wish you to imitate France, and though I am persuaded you have no necessity for any terror of such imitation being forced upon you, yet I say that you ought to be as ready to adopt the virtues, as you are steady in averting from the country, the vices of France. If it is clearly demonstrated, that genuine representation alone can give solid power, and that in order to make government strong, the people must make the government; you ought to act on this grand maxim of political wisdom thus demonstrated, and call in the people, according to the original principles of your system, to the strength of your government. In doing this you will not innovate, you will not imitate. In making the people of England a constituent part of the government of England, you do no more than restore the genuine edifice designed and framed by our ancestors. An honourable baronet spoke of the instability of democracies, and says, that history does not give us the example of one that has lasted eighty years. Sir, I am not speaking of pure democracies, and therefore his allusion does not apply to my argument. Eighty years, however, of peace and repose would be pretty well for any people to enjoy, and would be no bad recommendation of a pure democracy. I am ready, however, to agree with the honourable baronet, that, according to the experience of history, the antient democracies of the world were vicious and objectionable on many accounts; their instability, their injustice, and many other vices, cannot be overlooked; but, surely, when we turn to the antient democracies of Greece, when we see them in all the splendour of arts and of arms, when we see to what an elevation they carried the powers of man, it cannot be denied that, however vicious on the score of ingratitude or of injustice, they were, at least, the pregnant source of national strength, and that in particular they brought forth this strength in a peculiar manner in the moment of difficulty and distress. When we look at the democracies of the antient world, we are compelled to acknowledge their oppressions to their dependencies, their horrible acts of injustice and of ingratitude to their own citizens; but they compel us also to admiration by their vigour, their constancy, their spirit, and their exertions in every great emergency in which they are called upon to act. We are compelled to own, that it gives a power, of which no other form of government is capable. Why? Because it incorporates every man with the state, because it arouses every thing that belongs to the soul, as well as to the body of man: because it makes every individual feel that he is fighting for himself, and not for another; that it is his own cause, his own safety, his own concern, his own dignity on the face of the earth, and his own interest on the identical

soil which he has to maintain, and accordingly we find that whatever may be objected to them on account of the turbulency of the passions which they engender, their short duration, and their disgusting vices, they have exacted from the common suffrage of mankind the palm of strength and vigour. Who that reads the history of the Persian war — what boy, whose heart is warmed by the grand and sublime actions which the democratic spirit produced, does not find in this principle the key to all the wonders which were achieved at Thermopylæ and elsewhere, and of which the recent and marvellous acts of the French people are pregnant examples? He sees that the principle of liberty only could create the sublime and irresistible emotion; and it is in vain to deny, from the striking illustration that our own times have given, that the principle is eternal, and that it belongs to the heart of man. Shall we, then, refuse to take the benefit of this invigorating principle? Shall we refuse to take the benefit which the wisdom of our ancestors resolved that it should confer on the British constitution? With the knowledge that it can be reinfused into our system without violence, without disturbing any one of its parts, are we become so inert, so terrified, or so stupid, as to hesitate for one hour to restore ourselves to the health which it would be sure to give? When we see the giant power that it confers upon others, we ought not to withhold it from Great Britain. How long is it since we were told in this House, that France was a blank in the map of Europe, and that she lay an easy prey to any power that might be disposed to divide and plunder her? Yet we see that, by the mere force and spirit of this principle, France has brought all Europe at her feet. Without disguising the vices of France, without overlooking the horrors that have been committed, and that have tarnished the glory of the Revolution, it cannot be denied that they have exemplified the doctrine, that if you wish for power you must look to liberty. If ever there was a moment when this maxim ought to be dear to us, it is the present. We have tried all other means; we have had recourse to every stratagem that artifice, that influence, that cunning could suggest; we have addressed ourselves to all the base passions of the nation; we have addressed ourselves to pride, to avarice, to fear; we have awakened all the interested emotions; we have employed every thing that flattery, every thing that address, every thing that privilege could effect; we have tried to terrify them into exertion, and all has been unequal to our emergency. Let us try them by the only means which experience demonstrates to be invincible; let us address ourselves to their love; let us indentify them with ourselves: let us make it their own cause as well as ours! To induce them to

come forward in support of the state, let us make them a part of the state; and this they become the very instant you give them a House of Commons that is the faithful organ of their will. Then, Sir, when you have made them believe and feel that there can be but one interest in the country, you will never call upon them in vain for exertion. Can this be the case as the House of Commons is now constituted? Can they think so if they review the administration of the right honourable gentleman, every part of which must convince them, that the present representation is a mockery and a shadow?

I shall not, Sir, go over the whole of that series of disastrous measures which has forced upon the country the impression that the House of Commons has lost its efficacy in the system of government. But let us look back to the very singular circumstances under which the right honourable gentleman came into power: from this we shall see in what estimation the House of Commons is held, even by government itself, when it does not suit their purpose to extol it as the representative of the people. The right honourable gentleman came into power against the sense of the majority of the then House of Commons; and, armed with all the corrupt power of the crown, he stood, and successfully resisted the power of the House of Commons. He declared, that it was not the representative of the people, that it did not speak the sense of the nation, and he derided its weakness and inefficiency. What is the doctrine that this conduct in 1784 promulgated? That the House of Commons, so long as it obeys the will of the minister, so long as it grants every thing which he demands, so long as it supports every measure which he brings forward, is the genuine representative of the country — so long it is powerful and omnipotent: but, the moment that a House of Commons presumes to be the censor of government, the moment that it assumes the character of defiance and opposition, from that instant it ceases to have power or authority in the kingdom — it then becomes a straw which the minister can puff away with a breath. This he did in 1784, and completed his triumph. Since that time, who will say that the corrupt influence of the crown has not made enormous strides in destroying the power of election? Since that time, four-fifths of the elective franchises of Scotland, and Cornwall particularly, have passed into the hands of government; and the prediction which Mr. Burke then made upon the occasion has been literally fulfilled — no House of Commons has been since found strong enough to oppose the ministers of the crown. It has been said, that that period was not proper to be taken as a test of the public spirit on the subject of representation; that it was a moment of national

prosperity, and that nothing can be decided for or against representation by that precedent. It was, however, in that moment that the seeds of rottenness and dissolution were sown. I thought I saw them at the time, and I have been confirmed in my observation by every thing that has occured since. I pass over all the period between that time up to the present war, not because it is not fruitful of examples, but because I do not wish to trespass upon your time. The present war, say ministers, was popular in its commencement; the same was said of the commencement of the American war. I will not stop to inquire into the truth of the assertion, though it is at least doubtful. I will not deny that, through the artful machinations of government, a clamour was excited of the interested, which ministers called the voice of the nation. Whatever may have been the case, however, in the outset of the two wars, the progress in the public opinion has been the same in both; and I aver, that as in the American war the public opinion had changed, though no change was produced by the general election of 1780, so now, for the last two years, the present war has been universally unpopular in England, though it has not made its voice to be heard in the choice of representatives. Though the general election has not produced a change of men, yet he must be a dull observer of the public mind who says that the general election did not afford a striking proof of a change in the sentiments of the people. For what was the conduct of the candidates in populous places on the two sides? We boasted of having opposed the war; we made it our claim and our appeal to the confidence of the people, that we had resisted every one of the measures by which the government has brought us into our present condition. What was the conduct of the candidates on the other side? It consisted of apologies for their past offence of supporting the war; it consisted of whining and canting explanations, in descriptions of alarms, and not unfrequently in misrepresentations of facts. Such was the feeling conveyed by the general election. It served to convince every observing man, that if the representative system had been perfect, or the practice pure, the new parliament would have decidedly voted against the continuance of the war. Seeing, then, the conduct they have pursued, can the people have confidence in this House? Can they have confidence in a House that has given their countenance to misrepresentation through the whole course of the war? Suppose the people were to look for the history of the events that have happened in this war, and for the condition of the country, to the king's speeches from the throne, and to the addresses of the two Houses of parliament; they would see that almost in every instance his

majesty has declared from the throne, and the House of Commons has replied in humble addresses, that our prospects were improved, and that the country was flourishing and prosperous. Look at all the king's speeches and addresses since the year 1793, and you will find that this is their general tone and language. And yet, this is the House of Commons in which the people of England are to have confidence! Amidst all the failures and sufferings which they have had to deplore, and in their present condition of dreadful and unparralleled calamity, they are called upon to trust to a House of Commons, that assures them their prospects and situation have been gradually improving since the year 1793!

There has been, at different times, a great deal of dispute about virtual representation. Sir, I am no great advocate for these nice subtleties and special pleadings on the constitution: much depends upon appearance as well as reality. I know well that a popular body of 558 gentlemen, if truly independent of the crown, would be a strong barrier to the people; but the House of Commons should not only be, but appear to be, the representatives of the people; the system should satisfy the prejudices and the pride, as well as the reason of the people; and you never can expect to give the just impression which a House of Commons ought to make on the people, until you derive it unequivocally from them. It is asked, why gentlemen who were against a parliamentary reform on former occasions should vote for it now? Ten years ago men might reasonably object to any reform of the system, who ought now, in my opinion, to be governed by motives that are irresistible in its favour. They might look back with something like satisfaction and triumph to former parliaments, and console themselves with the reflection, that though in moments of an ordinary kind, in the common course of human events, parliament might abate from its vigilance, and give a greater degree of confidence than was strictly conformable with representative duty — yet there was a point beyond which no artifice of power, no influence of corruption, could carry them; that there were barriers in the British constitution over which the House of Commons never would leap, and that the moment of danger and alarm would be the signal for the return of parliament to its post. Such might have been the reasoning of gentlemen on the experience of former parliaments; and with this rooted trust in the latent efficacy of parliament, they might have objected to any attempt that should cherish hopes of a change in the system itself. But what will the same gentlemen say after the experience of the last and the present parliament? What reliance can they have for any one vestige of the constitution that is yet left to us?

Or rather, what privilege, what right, what security, has not been already violated? —— "*quid intactum nefasti liquimus?*" And, seeing that in no one instance have they hesitated to go the full length of every outrage that was conceived by the minister — that they have been touched by no scruples — deterred by no sense of duty — corrected by no experience of calamity — checked by no admonition or remonstrance — that they have never made out a single case of inquiry — that they have never interposed a single restraint upon abuse, may not gentlemen consistently feel that the reform which they previously thought unnecessary is now indispensable?

We have heard to-day, Sir, all the old arguments about honour on the one side being as likely as honour on the other; that there are good men on both sides of the House; that a man may be a member for a close borough upon the one side of the House as well as upon the other; and that he may be a good man, sit where he may. All this, Sir, is very idle language: it is not the question at issue. No man disputes the existence of private and individual integrity; but, Sir, this is not representation: if a man comes here as the proprietor of a burgage tenure, he does not come here as the representative of the people. The whole of this system, as it is now carried on, is as outrageous to morality, as it is pernicious to just government; it gives a scandal to our character, which not merely degrades the House of Commons in the eyes of the people; it does more, it undermines the very principles of integrity in their hearts, and gives a fashion to dishonesty and imposture. They hear of a person giving or receiving four or five thousand pounds as the purchase money of a seat for a close borough; and they hear the very man, who received and put into his pocket the money, make a vehement speech in this House against bribery; and they see him move for the commitment to prison of a poor, unfortunate wretch at your bar, who has been convicted in taking a single guinea for his vote in the very borough, perhaps, where he had publicly and unblushingly sold his influence, though that miserable guinea was necessary to save a family from starving, under the horrors of a war which he had contributed to bring upon the country. Sir, these are the things that paralyse you to the heart; these are the things that vitiate the whole system, that spread degeneracy, hypocrisy, and sordid fraud, over the country, and take from us the energies of virtue, and sap the foundations of patriotism and spirit. The system that encourages so much vice ought to be put an end to; and it is no argument that, because it lasted a long time without mischief, it ought now to be continued, when it is found to be pernicious; it has arisen to a

height that defeats the very end of government; it must sink under its own weakness. And this, Sir, is not a case peculiar to itself, but inseparable from all human institutions. All the writers of eminence upon forms of government have said, that in order to preserve them, frequent recurrence must be had to their original principle. This is the opinion of Montesquieu, as well as of Machiavel. Gentlemen will not be inclined to dispute the authority of the latter on this point at least; and he says, that without this recurrence they grow out of shape, and deviate from their general form. It is only by recurring to former principles that any government can be kept pure and unabused. But, say gentlemen, if any abuses have crept into our system, have we not a corrective, whose efficacy has been proved, and of which every body approves? Have we not Mr. Grenville's bill as an amendment to the constitution? An amendment it is; an amendment which acknowledges the deficiency. It is an avowal of a defective practice. It is a strong argument for a reform, because it would not be necessary if the plan of representation were sufficient. But, Sir, there is a lumping consideration, if I may be allowed the phrase, which now more than ever ought to make every man a convert to parliamentary reform; there is an annual revenue of twenty-three millions sterling collected by the executive government from the people. Here, Sir, is the despot of election; here is the new power that has grown up to a magnitude, that bears down before it every defensive barrier established by our ancestors for the protection of the people. They had no such tyrant to controul; they had no such enemy to oppose. Against every thing that was known, against every thing that was seen, they did provide; but it did not enter into the contemplation of those who established the checks and barriers of our system, that they would ever have to stand against a revenue of twenty-three millions a year. The whole landed rental of the kingdom is not estimated at more than twenty-five millions a year, and this rental is divided and dispersed over a large body, who cannot be supposed to act in concert, or to give to their power the force of combination and unity. But it is said, that though the government is in the receipt of a revenue of twenty-three millions a year, it has not the expenditure of that sum, and that its influence ought not to be calculated from what it receives, but what it has to pay away. I submit, however, to the good sense and to the personal experience of gentlemen who hear me, if it be not a manifest truth that influence depends almost as much upon what they have to receive, as upon what they have to pay? And if this be true, of the influence which individuals derive from the rentals of

their estates, and from the expenditure of that rental, how much more so is it true of government, who, both in the receipt and expenditure of this enormous revenue, are actuated by one invariable principle, that of extending or withholding favour in exact proportion to the submission or resistance to their measures which the individuals make? Compare this revenue, then, with that against which our ancestors were so anxious to protect us, and compare this revenue with all the bulwarks of our constitution in preceding times, and you must acknowledge, that though those bulwarks were sufficient to protect us in the days of King William and Queen Anne, they are not equal to the enemy we have now to resist.

But it is said, what will this reform do for us? Will it be a talisman sufficient to retrieve all the misfortunes which we have incurred? I am free to say, that it would not be sufficient, unless it led to reforms of substantial expence, and of all the abuses that have crept into our government. But at the same time I think it would do this. I think it would give us the chance, as I said before, of recovery. It would give us, in the first place, a parliament vigilant and scrupulous, and that would insure to us a government active and economical. It would prepare the way for every rational improvement, of which, without disturbing the parts, our constitution is susceptible. It would do more; it would open the way for exertions infinitely more extensive than all that we have hitherto made. The right honourable gentleman says, that we have made exertions. True. But what are they in comparison to our necessity? The right honourable gentleman says, that when we consider our situation compared with that of countries which have taken another line of conduct, we ought to rejoice. I confess, Sir, that I am at a loss to conceive what country the right honourable gentleman has in view in this comparison. Does he mean to assert, that the nations who preferred the line of neutrality to that of war have fallen into a severer calamity than ourselves? Does he mean to say, that Sweden, or that Denmark, has suffered more by observing an imprudent neutrality, than England or Austria by wisely plunging themselves into a war? Or does he mean to insinuate that Prussia has been the victim of its impolicy, in getting out of the conflict on the first occasion? If this be the interpretation of the right honourable gentleman's argument, I do not believe that he will get many persons to subscribe to the justice of his comparison. But probably he alludes to the fate of Holland: if this be the object to which he wishes to turn our eyes, he does it unjustly. Holland acted under the despotic mandate of that right

honourable gentleman; and Holland, whatever she has suffered, whatever may be her present situation, lays her calamities to the charge of England. I cannot, then, admit of the argument, that our situation is comparatively better than that of the nations who altogether kept out of the war, or, being drawn into it in the first instance, corrected their error, and restored to themselves the blessings of peace.

I come now to consider the specific proposition of my honourable friend, and the arguments that have been brought against it. Let me premise, that however averse gentlemen may be to any specific proposition of reform, if they are friendly to the principle, they ought to vote for the present question, because it is merely a motion for leave to bring in a bill. An opposition to such a motion comes with a very ill grace from the right honourable gentleman, and contradicts the policy for which he strenuously argued. In 1785 he moved for leave to bring in a bill on a specific plan, and he fairly called for the support of all those who approved of the principle of reform, whatever might be the latitude of their ideas on the subject; whether they wished for more or less than his proposition, he thought that they should agree to the introduction of the bill, that it might be freely discussed in the committee, in hopes that the united wisdom of the House might shape out something that would be generally acceptable. Upon this candid argument I, for one, acted. I did not approve of his specific proposition, and yet I voted with him for leave to bring in the bill. And this, Sir, has generally happened to me on all the former occasions, when propositions have been made. Though I have constantly been a friend to the principle, I have never before seen a specific plan that had my cordial approbation. That which came nearest, and of which I the least disapproved, was the plan of an honourable gentleman who is now no more (Mr. Flood): he was the first person who suggested the idea of extending what might be proper to add to representation, to house-keepers, as to a description of persons the best calculated to give efficacy to the representative system. My honourable friend's plan, built upon this idea, is an improvement of it, since it is not an attempt even to vary the form and outline, much less to new-model the representation of the people; it keeps every thing in its place; it neither varies the number, nor changes the name, nor diverts the course of any part of our system; it corrects without change; it extends without destruction of any established right; it restores simply what has been injured by abuse, and reinstates what time has mouldered away; no man can have a right to complain of genuine property assailed; no habit even, no

mode of thinking, no prejudice, will be wounded; it traces back the path of the constitution from which we have wandered, but it runs out into no new direction.

A noble lord says, that the county representation must be good, that it must be approved of; be it so: this proposes to leave the county representation where it is; I wish so to leave it. I think that representation ought to be of a compound nature. The counties may be considered as territorial representation, as contradistinguished from popular; but, in order to embrace all that I think necessary, I certainly would not approve of any farther extension of the franchise of the representation. It has been asked, whether the rights of corporations ought not to be maintained? That is a matter for farther discussion. I have no hesitation in saying, that my opinion leads the other way; but if it should be thought so, it may be so modified in the bill. There is no reasonable objection to its introduction on account of our not now agreeing with all its parts. My honourable friend, with all his abilities and all the industry with which he has digested his proposition, does not presume to offer it as a perfect plan. He does not call upon you to adopt all his notions, nor does he think that every part of his plan will be found to quadrate with the abstract principles of representation. He looks to what is practicable in the condition in which we are placed, not to what a new people might be tempted to hazard. My opinion, however unimportant it may be, goes with my honourable friend. I think there is enough of enterprize and vigour in the plan to restore us to health, and not enough to run us into disorder. I agree with him, because I am firmly of opinion with all the philosophical writers on the subject, that when a country is sunk into a situation of apathy and abuse, it can only be recovered by recurring to first principles.

Now, Sir, I think, that acting on this footing, to extend the right of election to house-keepers, is the best and most advisable plan of reform. I think also, that it is the most perfect recurrence to first principles; I do not mean to the first principles of society, nor the abstract principles of representation, but to the first known and recorded principles of our constitution. According to the early history of England, and the highest authorities on our parliamentary constitution, I find this to be the case. It is the opinion of the celebrated Glanville, that in all cases where no particular right intervenes, the common-law right of paying scot and lot was the right of election in the land. This, Sir, was the opinion of Serjeant Glanville, and of one of the most celebrated committees of which our parliamentary history has to boast; and this, in my opinion, is the safest line of conduct

you can adopt. But it is said, that extending the right of voting to house-keepers may, in some respects, be compared to universal suffrage. I have always deprecated universal suffrage, not so much on account of the confusion to which it would lead, as because I think that we should in reality lose the very object which we desire to obtain; because I think it would in its nature embarrass, and prevent the deliberative voice of the country from being heard. I do not think that you augment the deliberative body of the people by counting all the heads, but that in truth you confer on individuals, by this means, the power of drawing forth numbers, who, without deliberation, would implicitly act upon their will. My opinion is, that the best plan of representation is that which shall bring into activity the greatest number of independent voters, and that that is defective which would bring forth those whose situation and condition take from them the power of deliberation. I can have no conception of that being a good plan of election which should enable individuals to bring regiments to the poll. I hope gentlemen will not smile if I endeavour to illustrate my position by referring to the example of the other sex. In all the theories and projects of the most absurd speculation, it has never been suggested that it would be advisable to extend the elective suffrage to the female sex; and yet, justly respecting, as we must do, the mental powers, the acquirements, the discrimination, and the talents of the women of England, in the present improved state of society — knowing the opportunities which they have for acquiring knowledge — that they have interests as dear and as important as our own, it must be the genuine feeling of every gentleman who hears me, that all the superior classes of the female sex of England must be more capable of exercising the elective suffrage with deliberation and propriety, than the uninformed individuals of the lowest class of men to whom the advocates of universal suffrage would extend it. And yet, why has it never been imagined that the right of election should be extended to women? Why! but because by the law of nations, and perhaps also by the law of nature, that sex is dependent on ours; and because, therefore, their voices would be governed by the relation in which they stand in society. Therefore it is, Sir, that with the exceptions of companies, in which the right of voting merely affects property, it has never been in the contemplation of the most absurd theorists to extend the elective franchise to the other sex. The desideratum to be obtained, is independent voters, and that, I say, would be a defective system that should bring regiments of soldiers, of servants, and of persons whose low condition necessarily

curbed the independence of their minds. That, then, I take to be the most perfect system which shall include the greatest number of independent electors, and exclude the greatest number of those who are necessarily by their condition dependent. I think that the plan of my honourable friend draws this line as discreetly as it can be drawn, and it by no means approaches to universal suffrage. It would neither admit, except in particular instances, soldiers nor servants. Universal suffrage would extend the right to three millions of men, but there are not more than 700,000 houses that would come within the plan of my honourable friend; and when it is considered, that out of these some are the property of minors, and that some persons have two or more houses, it would fix the number of voters for Great Britain at about 600,000; and I call upon gentlemen to say, whether this would not be sufficiently extensive for deliberation on the one hand, and yet sufficiently limited for order on the other. This has no similarity with universal suffrage; and yet, taking the number of representatives as they now stand, it would give to every member about 1500 constituents.

But it is said, would even this plan of reform protect us against the consequences of bribery and corruption? I do not affect to say that it would; I do not believe that in the present state of society we can be altogether free from this evil; no laws will be found sufficient to eradicate an evil, which example has so banefully established. We have for a course of years habituated the people to the sordid vice, and we certainly cannot wonder that a poor man should not scruple to take five guineas for his vote, when he knows that the noble lord in his neighbourhood took four or five thousand. But, it is to be hoped, that when this baneful encouragement is removed, the regulations that would be introduced would tend to diminish, if not altogether remove the evil. Among those regulations, that of shortening the duration of parliaments would be one strong corrective; and this, I think, might be done with great convenience and facility by the plan upon which the elections would be made.

It has often been a question, both within and without these walls, how far representatives ought to be bound by the instructions of their constituents. It is a question upon which my mind is not altogether made up, though I own I lean to the opinion, that having to legislate for the empire, they ought not to be altogether guided by instructions that may be dictated by local interests. I cannot, however, approve of the very ungracious manner in which I sometimes hear expressions of contempt for the opinion of constituents. They are made with a very bad grace in the first session of a septennial parliament, particularly if they should come from in-

dividuals, who in the concluding session of a former parliament did not scruple to court the favour of the very same constituents, by declaring that they voted against their conscience in compliance with their desire, as was the case of an honourable alderman of the city of London. But, Sir, there is one class of constituents whose instructions it is considered as the implicit duty of members to obey. When gentlemen represent populous towns and cities, then it is a disputed point, whether they ought to obey their voice, or follow the dictates of their own conscience; but, if they represent a noble lord, or a noble duke, then it becomes no longer a question of doubt; and he is not considered as a man of honour who does not implicitly obey the orders of his single constituent. He is to have no conscience, no liberty, no discretion of his own, he is sent here by my lord this, or the duke of that, and if he does not obey the instructions he receives, he is not to be considered as a man of honour and a gentleman. Such is the mode of reasoning that prevails in this House. Is this fair? Is there any reciprocity in this conduct? Is a gentlemen to be permitted, without dishonour, to act in opposition to the sentiments of the city of London, of the city of Westminster, or of Bristol; but if he dares to disagree with the duke, or lord, or baronet, whose representative he is, that he must be considered as unfit for the society of men of honour?

This, Sir, is the chicane and tyranny of corruption; and this, at the same time, is called representation. In a very great degree the county members are held in the same sort of thraldrom. A number of peers possess an overweening interest in the county, and a gentleman is no longer permitted to hold his situation than as he acts agreeably to the dictates of those powerful families. Let us see how the whole of this stream of corruption has been diverted from the side of the people to that of the crown; with what constant, persevering art, every man who is possessed of influence in counties, corporations, or boroughs, that will yield to the solicitations of the court, is drawn over to that phalanx which is opposed to the small remnant of popular election. I have looked, Sir, to the machinations of the present minister in this way, and I find that, including the number of additional titles, the right honourable gentleman has made no fewer than 115 peers in the course of his administration; that is to say, he has bestowed no fewer than 115 titles, including new creations and elevations from one rank to another. How many of these are to be ascribed to national services, and how many to parliamentary interest, I leave the House to inquire. The country is not blind to these arts of influence, and it is im-

possible that we can expect them to continue to endure them.

A noble lord has quoted a most able book on the subject of the French Revolution, the work of Mr. Mackintosh, and I rejoice to see that gentlemen begin to acknowledge the merits of that eminent writer, and that the impression that it made upon me at the time is now felt and acknowledged even by those who disputed its authority. The noble lord has quoted Mr. Mackintosh's book on account of the observation which he made on the article which relates to the French elections: he thought that their plan would lead to the evil of universal suffrage. I have not forgotten the sarcasms that were flung out on my approbation of this celebrated work; that I was told of my "new library stuffed with the jargon of the Rights of Man;" it now appears, however, that I did not greatly over-rate this performance, and that those persons now quote Mr. Mackintosh as an authority, who before treated him with splenetic scorn. Now, Sir, with all my sincere admiration of this book, I think the weakest and most objectionable passage in it, is that which the noble lord has quoted; I think it is that which the learned author would himself be the most desirous to correct. Without descending to minute and equivocal theories, and without inquiring farther into the Rights of Man than what is necessary to our purpose, there is one position in which we shall all agree — that man has the right to be well governed. Now, it is obvious, that no people can be satisfied with a government from the constituent parts of which they are excluded. When we look to the kingdom of Scotland, we see a state of representation so monstrous and absurd, so ridiculous and revolting, that it is good for nothing, except, perhaps, to be placed by the side of the English, in order to set off our defective system, by the comparison of one still more defective. In Scotland there is no shadow even of representation; there is neither a representation of property for the counties, nor of population for the towns. It is not what we understand in England by freeholders, who elect in the counties; the right is vested in what are called the superiorities; and it might so happen that all the members for the counties of Scotland might come here without having the vote of a single person who had a foot of property in the land. This is an extreme case, but it is within the limits of their system. In the boroughs their magistrates are self-elected, and therefore the members have nothing to do with the population of the towns.

Now, Sir, having shewn this to be the state of our representation, I ask what remedy there can be other than reform? What can we expect, as the necessary result of a

system so defective and vicious in all its parts, but increasing calamities, until we shall be driven to a convulsion that would overthrow every thing? If we do not apply this remedy in time, our fate is inevitable. Our most illustrious patriots, the men whose memories are the dearest to Englishmen, have long ago pointed out to us parliamentary reform as the only means of redressing national grievance. I need not inform you, that Sir George Savile was its most strenuous advocate; I need not tell you that the venerable and illustrious Camden was through life a steady adviser of seasonable reform; nay, Sir, to a certain degree we have the authority of Mr. Burke himself for the propriety of correcting the abuses of our system; for gentlemen will remember the memorable answer which he gave to the argument that was used for our right of taxing America, on the score of their being virtually represented, and that they were in the same situation as Manchester, Birmingham, and Sheffield. — "What!" said Mr. Burke, "when the people of America look up to you with the eyes of filial love and affection, will you turn to them the shameful parts of the constitution?" With the concurring testimony of so many authorities for correcting our abuses, why do we hesitate? Can we do any harm by experiment? Can we possibly put ourselves into a worse condition than we are? What advantages we shall gain I know not. I think we shall gain many. I think we shall gain at least the chance of warding off the evil of confusion, growing out of accumulated discontent. I think we shall save ourselves from the evil that has fallen upon Ireland. I think we shall satisfy the moderate, and take even from the violent, if any such there be, the power of increasing their numbers, and of making converts to their schemes. This, Sir, is my solemn opinion, and upon this ground it is that I recommend with earnestness and solicitude the proposition of my honourable friend.

And now, Sir, before I sit down, allow me to make a single observation with respect to the character and conduct of those who have, in conjunction with myself, felt it their duty to oppose the progress of this disastrous war. I hear it said, "You do nothing but mischief when you are here; and yet we should be sorry to see you away." I do not not know how we shall be able to satisfy the gentlemen who feel towards us in this way. If we can neither do our duty without mischief, nor please them with doing nothing, I know but of one way by which we can give them content, and that is, by putting an end to our existence. With respect to myself, and I believe I can also speak for others, I do not feel it consistent with my duty totally to secede from this House. I have no such intention; but, Sir, I have no hesitation in saying, that after

seeing the conduct of this House, after seeing them give to ministers their confidence and support, upon convicted failure, imposition, and incapacity; after seeing them deaf and blind to the consequences of a career that penetrates the hearts of all other men with alarm, and that neither reason, experience, nor duty, are sufficiently powerful to influence them to oppose the conduct of government, I certainly do think that I may devote more of my time to my private pursuits, and to the retirement which I love, than I have hitherto done; I certainly think I need not devote much of it to fruitless exertions, and to idle talk, in this House. Whenever it shall appear that my efforts may contribute in any degree to restore us to the situation from which the confidence of this House in a desperate system and an incapable administration, has so suddenly reduced us, I shall be found ready to discharge my duty.

Sir, I have done. I have given my advice. I propose the remedy, and fatal will it be for England if pride and prejudice much longer continue to oppose it. The remedy which is proposed is simple, easy, and practicable; it does not touch the vitals of the constitution; and I sincerely believe it will restore us to peace and harmony. Do you not think that you must come to parliamentary reform soon; and is it not better to come to it now when you have the power of deliberation, than when, perhaps, it may be extorted from you by convulsion? There is as yet time to frame it with freedom and discussion; it will even yet go to the people with the grace and favour of a spontaneous act. What will it be when it is extorted from you with indignation and violence? God forbid that this should be the case! but now is the moment to prevent it; and now, I say, wisdom and policy recommend it to you, when you may enter into all the considerations to which it leads, rather than to postpone it to a time when you will have nothing to consider but the number and the force of those who demand it. It is asked, whether liberty has not gained much of late years, and whether the popular branch ought not, therefore, to be content? To this I answer, that if liberty has gained much, power has gained more. Power has been indefatigable and unwearied in its encroachments. Every thing has run in that direction through the whole course of the present reign. This was the opinion of Sir George Savile, of the Marquis of Rockingham, and of all the virtuous men who, in their public life, proved themselves to be advocates for the rights of the people. They saw and deplored the tendency of the court; they saw that there was a determined spirit in the secret advisers of the crown to advance its power, and to encourage no administration that

should not bend itself to that pursuit. Accordingly, through the whole reign, no administration which cherished notions of a different kind has been permitted to last, and nothing, therefore, or next to nothing, has been gained to the side of the people, but every thing to the crown in the course of the reign. During the whole of this period we have had no more than three administrations, one for twelve months, one for nine, and one for three months, that acted upon the popular principles of the early part of this century: nothing, therefore, I say, has been gained to the people, while the constant current has run towards the crown; and God knows what is to be the consequence, both to the crown and country! I believe that we are come to the last moment of possible remedy. I believe that at this moment the enemies of both are few; but I firmly believe, that what has been seen in Ireland will be experienced also here; and that if we are to go on in the same career with convention bills and acts of exasperation of all kinds, the few will soon become the many, and that we shall have to pay a severe retribution for our present pride. What a noble lord said some time ago of France, may be applicable to this very subject — "What!" said he, "negociate with France? With men whose hands are reeking with the blood of their sovereign? What, shall we degrade ourselves by going to Paris, and there asking in humble, diplomatic language, to be on a good understanding with them?" Gentlemen will remember these lofty words; and yet we have come to this humiliation; we have negociated with France; and I should not be surprised to see the noble lord himself (Hawkesbury) going to Paris, not at the head of his regiment, but on a diplomatic mission to those very regicides, to pray to be upon a good understanding with them. Shall we, then, be blind to the lessons which the events of the world exhibit to our view? Pride, obstinacy, and insult, must end in concessions, and those concessions must be humble in proportion to our unbecoming pride. Now is the moment to prevent all these degradations; the monarchy, the aristocracy, the people themselves, may now be saved; it is only necessary, at this moment, to conquer our own passions. Let those ministers, whose evil genius has brought us to our present condition, retire from the post to which they are unequal. I have no hesitation in saying, that the present administration neither can nor ought to remain in place; let them retire from his majesty's councils, and then let us, with an earnest desire of recovering the country, pursue this moderate scheme of reform, under the auspices of men who are likely to conciliate the opinion of the people. I do not speak this, Sir, from personal ambition. A new administration ought to be formed;

I have no desire, no wish, to make a part of any such administration; and I am sure that such an arrangement is feasible, and that it is capable of being done without me. My first and chief desire is to see this great end accomplished. I have no wish to be the person, or to be one of the persons, to do it; but though my inclination is for retirement, I shall always be ready to give my free and firm support to any administration that shall restore to the country its outraged rights, and re-establish its strength upon the basis of free representation; and therefore, Sir, I shall certainly give my vote for the proposition of my honourable friend.

The House divided:

	Tellers.			*Tellers.*	
Yeas	Mr. Sheridan, Mr. W. Smith	91.	Noes	Lord Hawkesbury, Mr. Douglas	256.

So it passed in the negative.

Assessed Taxes Bill.

December 14.

During the former part of this session, Mr. Fox, together with Mr. Grey, Mr. Sheridan, Mr. Whitbread, and several other members of opposition, seeing no prospect of awakening the nation to a just sense of its real condition, and conceiving their attendance totally unavailing, had absented themselves from parliament. This day, however, on the second reading of the Assessed Taxes Bill, Mr. Fox and Mr. Sheridan again made their appearance. When Mr. Fox passed through the lobby of the House, which was full of strangers, there was a great burst of applause and clapping of hands. Mr. Dundas having, in the course of his speech, alluded to the secession of opposition,

Mr. Fox rose and spoke in substance as follows: — Sir, I do not conceive that the attendance or non-attendance of any particular member of this House can be a fit subject of observation. I agree in that respect with the right honourable gentleman who spoke last. I have nothing to say upon that topic, further than that the same motives which have induced me to absent myself for some time, are now as prevalent as ever. My opinion is now what it has long been, that the present administration have by the unfortunate blindness of this House, and the too easy temper of the people, so im-

paired its finances, so increased its embarrassments, but above all, so disfigured its constitution, that no services which any individual can render by his attendance will counterbalance the mischiefs which must arise from giving countenance to an opinion, that the decisions of this House are always the result of full discussion. In that opinion I am as firm as at any time of my life. It is not the establishment of this or that regulation in a particular instance, of this or that modification of a particular measure, that can essentially serve the people. Nothing short of a total reform of our late system, nothing short of our reverting to the true principles of our constitution, to the popular maxims of our ancestors, can save us from utter ruin. Seeing that by my attendance I was unable to prevail on the House to adopt these principles, I omitted to attend. But I attend this night in consequence of what is to me at least an important sentiment — the propriety of yielding to the request of my constituents. This is not a moment to enlarge upon the duties of a member of this House, but it appears to me that to comply with the general desire of his constituents, especially in such a case as that which is now before us, is one of those duties.

I have been told this night that I have been much imposed upon in the representations of many important public events; that I have formed erroneous conclusions from them; that I in my retirement have had leisure to re-consider my former opinions; and that I, like others, may have had much to learn. Those who think they have arrived at that degree of knowledge beyond which they have nothing to learn, are in a state which, when they affect it, shew they have learnt but little. But I should hold myself much indebted to the right honourable gentleman who made this observation, if he would tell me, in what book of antient or modern history — in what school of philosophy — in what system of any admired politician, since the creation of the world to the present hour, I am to find, that perseverance in a system which has led you to the brink of ruin is the way to extricate you from your difficulty. That, indeed, is one of the lessons which I have yet to learn. I had no hopes of gaining for the public any advantage by my attendance; but my constituents desired me to attend, and I determined to comply. I know it is popular, in this House, at least, to hold that a member of parliament is not particularly bound to obey his constituents, whose opinions may be guided by local prejudices and partial interests; that he is to consider himself as the representative of the people at large; and that he is to act as appears to him most favourable to that enlarged view of the interests of his country. I trust that I should be no more ready than others to obey the wish of a

particular class of men who happen to be my constituents, if by so doing I was convinced I obeyed them to the prejudice of the whole community. But in this particular instance, I have the comfort to feel that my sentiments and those of my constituents perfectly coincide. My constituents have desired me to attend this bill, and if I thought my own opinion more important than theirs I should have endeavoured to have reasoned with them upon the futility of that attendance; but their desire controuls my conduct. I am bound to state their case in this House. They think, and so do I, that by this bill all the principles of our ancestors are abandoned, and that a profligate contempt of property (the protection of which was one of their favourite objects) is now manifest from the tenor of the bill before you.

The right honourable gentleman who spoke last, states two grounds upon which this subject may be considered. He admits, first, that every man who opposes all means of supply, except such as arise from the funding system, may fairly oppose the principle of this bill: certainly he may. Secondly, he states that those who think that taxes should not be laid upon income, but generally upon property, may also vote for the second reading of this bill, with a view of modifying it in such a manner as to answer the object which the principle of the bill is supposed to have in view, namely, a tax upon property, so as to raise a considerable part of the supplies within the year; that is to say, that any man who objects to the increase of assessed taxes, may yet vote for the second reading of this bill, as a measure, the foundation of which is to call for the contribution of property for the service of the state. I confess that argument was perfectly new to me. Where am I to look for the principle of this bill? I should think, to the resolutions on which it is founded; but I do not see one line in them that relates to the principle of the measure, which does not state the assessed taxes as their basis as well as their criterion. And yet I am told, that any man who thinks that these assessments are the worst of all possible criteria may vote for this bill, because it is that which has for its object a general taxation upon property. This I consider as the mere shuffling language to which gentlemen are driven to support the infamous system on which they endeavour to load the people of this country. The right honourable gentleman says he knows of no discontent which has been expressed against the principle of this bill, as a tax upon property; that all the objection arises from the assessed taxes being taken as a criterion whereby that property is to be guessed at. The objections which have hitherto been made by those best capable of judging, at least most sincere in examining, namely, those who

are to be called upon to pay, have been made to the bill which is now before you, and it would be strange indeed if they did not object to a bill which tends to the immediate destruction of their trade, the annihilation of their fortunes, and possibly the loss of the liberty of their persons. I consider their objections as pointed against the fundamental principles of the bill. Another honourable gentleman seems to think that the unpopularity of the measure is no argument against it. He seems rather to think it an argument in its favour; for he says, he believes that the people would not cry out against it unless they thought it a measure effectual for the purpose of raising a large sum of money. That honourable gentleman seems to think the objections of the public unreasonable in this particular. I understand he is connected with commerce, and I therefore appeal to him, whether he would not himself claim the privilege of complaining, at least, if a demand were made upon him for money which he felt he could not pay; and which by the theory of our constitution, he was not bound to pay without his own consent? Such is the case of the inhabitants of the city af Westminster, and so have they instructed me to state it.

It is asked, What objection can be stated to the raising part of our supplies within the year? To that I must give, shortly, a conditional answer. If any man could shew me (the possibility of which I doubt) any means of raising a large supply within the year, without a disadvantage which would overbalance it, I should be glad to comply. But here I must pause a while, and consider the progress of the present war. We are now called upon by this measure not to burden our posterity, but to stand the brunt in our own persons. This, under certain circumstances, might be prudent; generous it certainly would be; but I think it comes with a very ill grace from those who have contributed so much already to the burdens to be transferred to such posterity. It comes from those who have pursued a plan which tends to burden our posterity so much, that they are afraid of pursuing it any longer; and now, most generously, when they are absolutely under the necessity of stopping, they turn round and call upon us to bear an intolerable burden in order to support their measures. This plan proceeds from absolute necessity, not from any tenderness felt for those who are to come after us; and I cannot help thinking that its public spirit will not be much respected in the world. If there was any period, (and I am now begging the question, merely for the sake of proceeding in the argument,) but if there was any period in which such a measure as this could have been well timed, it was at the commencement of the war. The chancellor of the exchequer proceeded

upon something like it, as far as it can be considered as a plan to diminish future burdens, immediately after the Spanish armament. Why not produce this plan at the commencement of the war? Why! because it was necessary to delude this House; because it was necessary to delude the people of this country; because it was necessary for the purposes which the minister had then in view to treat us all like children. This was the reason why this plan was not at first adopted. If it had, the delusion would have been over, and the people would have seen the abyss into which the minister was disposed to lead them. No! that would not suit his purpose. The people would have revolted at a system so developed. So well aware was he of this, that in an early stage of this contest, he advised his majesty to tell his parliament it was a great consolation to him, that in the prosecution of this just and necessary war, there need not be imposed upon his people very heavy and oppressive burdens. Why did he not then come forward with the patriotic principle which he now assumes? Why! because he thought it necessary to delude you, to gain your assent to enter into the contest, by telling you the burden would be light; and now that you are involved in all its difficulties, and when he tells you you cannot retire with honour, he comes with this impost, which would have been too abominable at the onset, but which he now means to pass in the desperation of your affairs.

Although no great friend to novel systems of finance, I am ready to say, that any thing which is new ought to be adopted, provided it appears to be wise; but I am ready to confess also, that I have never heard of a better system for raising money in times of great difficulty than that of the funding system. I conceive this to be intended as a tax on the income of each individual, as well as it can be ascertained. It must, therefore, be the wish of the minister to learn the amount of the income of each individual in the nation; this he proposes to do by examining the present assessment. If it be not a tax on income, I should be glad to know what it is. Indeed, the right honourable gentleman who spoke last considers it not as a tax upon income, but a tax upon property; and calls upon all those who approve of that principle to support it, saying, that the opposition to it proceeds from a misapprehension of its nature. Taking it, then, in the general view, as a tax upon property, I am led to examine its nature. I certainly do think, that in that view it is a tax of a very dangerous description. A tax upon property must either arise from land, from money in the funds, or from commercial gains. What would be the fair way of viewing either of these three species of property? I consider all those pursuits in life which

are very justly denominated professions, under the head of commercial gains. These being the different denominations of property, let us examine the principle of this bill as it applies to each. Would you tax the land-proprietor by a direct impost? No, it is not attempted. Would you tax the property of the fund-holder? No, no minister has yet been either blind or abandoned enough to attempt it. The annuities on the funds have been secured from year to year, and parliament stands pledged not to touch that property with taxation. So stands the law. But this bill will tax indirectly that which no minister has yet dared to tax in a direct manner. It has been said, that our funding system has contributed to preserve the effects of our Revolution, to preserve the interests, and keep up the spirit of this country, to enable us to thwart the ambitious views of the house of Bourbon. See whether this plan does or does not tend to the diminution of the value of that security. I am sure it is understood by my constituents, as not only likely to affect such security, but also all their commercial interests. Let us suppose, for instance, two gentlemen of equal fortune setting out in life, the one of them with his 10,000*l.* laying it out upon mortgage, and living upon the interest of his money, which would be 500*l.* per annum.; you would tax him, according to the principle of this bill, for that income, and no more; suppose the second applies his 10,000*l.* in commerce, and it produces to him 1000*l.* per annum, you will tax him at the rate of 1000*l.* a year. What is the reason of this difference? They are both equal in point of real property. But as you make income the basis of your taxation, you impose upon diligence, upon activity, and upon industry, double the weight which you lay upon him who chuses to repose supinely upon the produce of his capital. It is thus you propose to preserve in men that spirit by which this country has been distinguished from other nations. Idleness is favoured, diligence discouraged. A principle so detestable, that I could not have conceived it possible to enter into the mind of any man acquainted with the springs of human action.

You call this, in another view, a tax upon luxury. Is a house a luxury? In the case of a multitude of my constituents, it neither is nor can be so considered. You say that where a man contributes largely to the payment of assessed taxes, he gives evidence of wealth. What you consider as evidences of his wealth are nothing more than the implements of the trade by which he exists. There are many, especially among my constituents, whose constant custom it is to let lodgings. They are objects of the present bill. I know you may say, I dare say you will, that they shall be relieved by provisions,

which are to be adopted in the committee. Let us suppose a tradesman who pays a great rent for his house, such as would induce you, by the present plan, to consider him as a man of 1000*l.* a year income; his next door neighbour may be a private gentleman, whose real income is 200*l.* a year, but who, by choice or accident, inhabits a house of much inferior value; he will, by this tax, have a lighter impost than the tradesman. That is only one of the subjects of complaint against this bill. With respect to those who have ready furnished houses, I understand they will be liable to the full extent of this tax, and that whether they be tradesmen or gentlemen, the one living upon a certain, the other upon an uncertain income, will make no difference; whereas it is most clear that the one lives upon a fortune, the amount of which he knows, and the other embarks the little capital he is able to collect in order to furnish a house, and to take the chance of subsisting upon the fruits of it. I should like to be made acquainted with the equity of a bill which confounds the distinction between these cases.

But to try the merits of this bill by another test. If you think horses, or dogs, or male servants, fair tests of opulence, in God's name how can any housekeeper in any considerable town, be fairly assessed? Is it posssible to take any such criterion as the test of wealth in a populous place? I am quite surprised that the chancellor of the exchequer should have taken advice so gross as that which led him to blunder upon the present bill. He says, "here are horses, they are to be considered as articles of luxury." They are so, generally speaking, to members of this House, to which, however, there are some exceptions. They are by no means to be considered as articles of luxury to merchants, or to traders whose businesses are extensive, for many of them necessarily employ riders in the course of their commercial dealings. There are many others to whom horses are absolutely necessary. Medical men, who are compelled to go from place to place in the course of their profession, have occasion for horses; as well as many others whose cases it is not necessary for me to mention. I say, therefore, that this bill proceeds upon a principle which, in every view of it, is vicious, as far as I have hitherto considered it. But this is not all: you are called upon to regulate your future exactions, not by the future prudence of men, which would be a fair rule of impost in certain cases; but by the most iniquitous rule that can be possibly adopted — that of the past expenditure of men. A man may have lived improvidently, and may find it wise to contract his expences. By this bill you allow him no chance of retrieving his fortune by that prudence which is the effect of his experience. You do not allow a man the benefit which ought to be

the result of a long and prudent life. Let us suppose, for instance, a man residing frugally in the country should wish to come to London for a season with his family: from the short stay he intends to make, it may not possibly be a great object with him what his expences are. He wishes to shew his wife and daughters the gaieties of the town; he conducts them to places of public amusement, and determines to retire into the country again to enjoy his rural amusement. This he might have done at any time previous to this bill, without any other expence than such as he expected. But if he take such an excursion in the year 1797, woe be to him, and to all those who are most dear to him! for he is not only to pay the expences of that excursion, but the expences of that excursion are to be estimated according to the assessment which is made upon him in that day of his levity, and is to be called the test by which his ability to serve the state is to be estimated.

It is said, I know, that this is only to be a temporary measure, and that it would be extravagant to consider it as an impost for life. Upon that a word or two by and by. I say he is settled by this with a heavy and an unjust impost. This mode of calling upon men for future exertions in the service of the state, is too iniquitous to bear the test of one moment's reflection. This principle of injustice reminds me of the illustration which Sterne gives of the violent extortion of the ancient government of France. The case is exactly in point. When at Lyons, Yorick resolved to change his mode of travelling, and sail down the Rhone, instead of going post. The postmaster, however, applied to him for six livres six sous, as the price of the next post. "But I do not intend to travel post," said Yorick. "You may, if you please," replied the postmaster. "But I do not please," said Yorick: — "I mean to go by water." "That is no matter," said the postmaster: — "you must pay for the next post, whether you have changed your mind or not." And, said Mr. Fox, here the word "principle" or "spirit" was used, as they are always used, to sanctify injustice; for, says the postmaster — "The spirit of the impost is, that the grand monarque shall not suffer by your fickleness." Charged he was, and obliged to pay. So it is with the present tax; for all the people who have paid assessments in this country are called upon for great and additional assessments, which they must pay, or which must rather be wrested from them by distraining upon their goods, not upon a computation of their future ability, nor in prospect of their future views, but in consequence of their former expenditure, whether wisely or imprudently occasioned. By this plan it is in vain that a man's prudence is called in to regulate his circumstances.

Let us consider this as applicable to persons in trade, distinguished from those who possess permanent and specific incomes. A man in trade may say, that the last year was a good one, and therefore he kept his one-horse chaise, but whether he should continue it, must depend upon circumstances; that he governed his expenditure, prudently, by the fluctuation of his circumstances, and therefore if his trade was worse this year than it was the last, he would set aside his one-horse chaise and many other conveniencies. But, by the principle of this bill, you do not allow him to do so, and you add insult to injury, by telling him that you will call upon him to support the exigencies of the state according to his establishment, as it appears by a former assessment, and that he shall pay hereafter triple what he formerly did; and this you intend as a compliment to his growing wealth as a tradesman. But, it seems, there is to be some relief in this bill to those who are over-rated. They are to have abatements in proportion as they prove they are assessed beyond their income. But how is this abatement to take place? By the disclosure of all the private affairs of a man in trade. A mode of relief which, if it deserves the name, is as intolerable as the grievance. Take any tradesman, a watch-maker for instance, he would tell you that his income, prior to the last impost upon watches, was much superior to what it is now. That must be the case with every other man in trade, especially as he does not know how he may be taxed hereafter. I am the more supported in this part of my argument, when I refer to the future prospects of the minister, for he tells us that a very considerable part of the ways and means are yet to come. How, therefore, is it possible for a tradesman, without knowing what the future subjects of taxation are to be, to guess at his future income? Under such considerations, the idea of calling upon a tradesman to guess at his future income is the most horribly unjust proceeding that ever could be devised by any minister of state.

It is stated, that this tax will necessarily fall heavy upon the middling class, because, generally speaking, they consume articles which partake of the double quality of luxuries of life and necessaries. To which I must answer, that it is a great grievance to any class of men, particularly so to those whose incomes are limited to a certain amount, not to have the benefit which generally arises from a prudent diminution of expences. It is allowing them no advantage from any economy they might be disposed to adopt, and it is exposing them, notwithstanding all disposition to economy, to utter ruin. It is not what the tradesman will have to pay to the assessment in direct contribution, but what he will have to suffer in

diminished trade; for, by the attack on all classes of gentlemen, you drive them to privations which are ruinous to trade. They may economise; they may drink less wine; they may indulge less in the comforts that are habitual to them; but this evil, great as it is, is little in comparison of the mischief it will do to trade. It will, however, introduce new manners and habits among us; and I will fairly say, that I am not for confounding the ranks of society. This is one of the evils with which this measure is pregnant. No act of the French directory ever did so much to confound the ranks of mankind as this measure will do. It will, out of the race of gentlemen, create two orders, princes and beggars. All the body of middle gentlemen will be reduced to beggary, for it is in vain to say that it is to be considered as a solitary exertion. It is announced for two years and a quarter, but who will say that it is to close there? A tenth of the income is the nominal amount of the assessment. But in this, the assessment is proportioned in name, not in substance, and there is no equality in its burden on the people. The gentleman of 1000*l.* a-year, for instance, who has to pay 100*l.* a-year, is much more severely taxed than the man of 10,000*l.* a-year, who has to pay 1000*l.* But whatever may be the hardships which it may bring on gentlemen, they are nothing in comparison of its effects on the commercial part of the community. To gentlemen it may operate to retrenchment and to the privation of indulgencies, but to the trader it is ruin. The ostentation of the best race of gentlemen may subside, and the young men may be taught more prudent habits; but this very retrenchment will be fatal to trade, and fatal also to the existing revenue. Commercial people have no refuge. They cannot retrench, for they do not now indulge. I find that men of all descriptions unite in abhorrence of the principle and tendency of this bill. They all object to the principle, because the assessed taxes are not only not a just criterion of wealth, but the worst and most fallacious that could be devised; for in every part of this metropolis, so fatal has been the disastrous war in which we are involved, that the assessed taxes are now with the greatest difficulty collected. They are either in arrears, or postponed, or the goods of the unhappy persons are distrained; and they all unite in declaring, not merely against the inexpediency, but against the total impracticability of forcing the receipt. This is not the opinion of one district, or of one party only, but it is the general opinion of every part of the people who have had time to examine the provisions of the bill; and really it will be a singular thing, if the House should oppose themselves to the universal voice of the kingdom.

Gentlemen seem to forget that we affect at least to call ourselves the representatives of the people. I know that we are no such thing; but we affect to call ourselves so. Yet in this House, only fifteen gentlemen could be found to vote against a measure upon which, out of this House, there is not merely a majority, but an unanimity of dissent. Ministers, in this instance, cannot plead their usual subterfuge, that it is the mere cry of a party. It is no such thing. Unanimous disapprobation has come from the most extraordinary places. Even the common council have been unanimous. There are but two sorts of representation, actual and virtual. You cannot pretend to call yourselves the actual representatives of the people, but you say you are the virtual. Prove yourselves so, then, by obeying their united voice. I hope and trust that you will shew yourselves, in some degree, entitled to the name of virtual representatives. I will fairly tell you, that even if you were to do so, I should not consider it as a sufficient proof that you are the virtual representatives of the people, unless I see you also sympathizing with the people. You must make common cause with them. You must invite them to sacrifices by your own example. You must lead the way. Mr. Burke once illustrated this principle by a story very much in point. A French regiment, in speaking of an old colonel whom they had lost, and of a new one that had succeeded him, extolled the first to the skies—"What particular reason have you for your ardent affection for the old colonel, rather than the new?" said a person to them. "We have no other reason, said they, than this—the old colonel always said, "Allons, mes enfans!" The new colonel says, "Allez, mes enfans!" This was, indeed, a striking contrast; and just in this manner we ought to act towards the people. We ought not to say to them, "Go, make sacrifices!"—but, "Let us make sacrifices." To rouse the energy of the people, let us hear of the sacrifices of the crown. It is from the highest place that the example ought to be given. It will animate and cheer the heart of the kingdom:

"Solamen miseris socios habuisse doloris."

When men are called on to give up their pleasures, whatever they may be, whether of horses or gardens, it is but reasonable that they should see the crown participating in the sacrifice. But when, instead of this, we see only that new patronage is to be obtained out of the levying of 14 millions in this way, we must feel that these are bad symptoms, and that there is no common cause in the exertions we are called upon to make; and we are made to believe that there is something in this war, which makes it unfit for all such examples to be given.

A right honourable gentleman says, that expenditure will not be diminished on account of this tax—it will only change hands—great sums will be wanted, he says, to clothe and to maintain the army. I wish the House to remark the expression—I certainly believe him—great sums will go to the army. But is that any consolation to me? If 200*l.* is to be taken out of my pocket, what care I to whom it is to be paid? But this very argument is, and ought to be, an object of just and serious alarm to the nation; for while these enormous sums are to be paid into the hands of government, it becomes almost the sole consumer. Let us examine the fact. One-tenth of the expenditure of the whole kingdom is estimated at 7 millions. That makes the total expenditure 70 millions; but, perhaps, as this is not the just test, and there may be evasion, the total expenditure may be 100,000,000*l.* On this ground, it appears that the public expenditure has been between 30 and 40,000,000*l.* a year during this war. If then it be true, that the expences of the war are so essential to revenue, what a prospect for us when this source of revenue shall be cut off! The right honourable gentleman, in speaking of a pledge, is extremely desirous of overlooking and explaining away his own. He is not willing to remember the emphatical pledge that he gave, never to make peace with the jacobin government of France. What can we expect from men who have, through the whole of the war, shrunk from every pledge they have ever given? It is only by their removal that the nation can be saved from its present perilous situation. They are either fools or hypocrites who attempt to separate ministers from their measures, or affect to think that our affairs can be retrieved in their hands. The country must take its fate, if they are so dull of intellect, or so infatuated, as to conceive that they can be rescued from their present situation by the imbecility that brought them into it. We are called upon to make this dreadful sacrifice in order to terrify France! We are to give up 7,000,000*l.* in one year, in addition to all our other burdens, to shew to France, that we have, what their poet calls *l'embarras de richesses.* Terrify France! What, by shewing that we are forced to abandon the funded system, which has supported us through so many difficulties, because we dare no longer persist in it? Terrify France—by an exaction which will not be paid—which will convulse the country from one end to the other—or which, if it were possible to pay it, would paralyze all our future operations, and lay us helpless at their feet!

In the argument which I have taken the liberty to trouble you with, I have not wandered from the particular measure of the day, because it is inseparable from the causes that have

given rise to it. Sir, this is no common tax. Do not let us delude ourselves with the idea that there is no danger. It is imminent. No human being can calculate the horrors to which this measure may give rise. I deprecate rashness. I know that men are fond of talking of the theoretical blessings of our constitution; but unless you make the people feel its practical blessings you do nothing. Talk of the jacobin principles of the French directory! No man has made so many jacobins as the right honourable gentleman; and if this measure is to be persevered in, there is no saying to what we shall be driven. The tax may be put under the management of the military. Suppose it cannot be collected — what comes next? They may distrain; and when they have seized on our beds and chairs, they may last of all take our persons — *Contra opes primum, et post in corpora sæviri.* Is such a measure to be hurried through this House? I am guilty of no exaggeration. I am sure that if time be given, you will have from all the great towns, from Bristol, Birmingham, Manchester, Liverpool, and elsewhere, remonstrances as strong as those you have seen from the city of London, from my constituents, and from the borough of Southwark. I shudder at the consequences if you persist. They may be dreadful. It is only by a quick return to the genuine principles of our ancestors, that we can be safe. The right honourable gentleman (Mr. Dundas) has said, that "if there were men who could give peace to the country, without throwing things into confusion, the present ministers would be the basest of mankind if they did not yield and make way for them." If there are any men who feel themselves capable of restoring peace to these kingdoms, without a change of system, or restoring the constitution to its vigour, I can only say they are more sanguine than I am. I can speak without any personal motive on the subject; for I publicly declare, that I never will have a seat, high or low, in any administration, until public opinion shall have decided for a thorough reform of abuses, and a direct return to the genuine principles of the British constitution. If there are men sanguine enough to think that they can not only procure peace, but tranquilize the country without this, let them try it. I will make no part in any such administration.

The House divided on the motion for the second reading of the bill,

	Tellers.			*Tellers.*	
YEAS	Lord Hawkesbury Mr. C. Yorke	175.	NOES	Mr. Tierney Mr. Ald. Combe	50.

KING'S MESSAGE RESPECTING OVERTURES OF PEACE FROM THE CONSULAR GOVERNMENT OF FRANCE.

February 3. 1800.

ON the 25th of December 1799 Bonaparte addressed the following letter "To the King of Great Britain and Ireland:"

"Called by the wishes of the French nation, to occupy the first magistracy of the republic, I think it proper, on entering into office, to make a direct communication of it to your majesty.

"The war, which for eight years has ravaged the four quarters of the world, must it be eternal? Are there no means of coming to an understanding?

"How can the two most enlightened nations of Europe, powerful and strong beyond what their safety and independence require, sacrifice to ideas of vain greatness, the benefits of commerce, internal prosperity, and the happiness of families? How is it that they do not feel that peace is of the first necessity, as well as of the first glory?

"These sentiments cannot be foreign to the heart of your majesty, who reigns over a free nation, and with the sole view of making it happy.

"Your majesty will only see in this overture my sincere desire to contribute efficaciously, for the second time, to a general pacification, by a step, speedy, entirely of confidence, and disengaged from those forms which, necessary perhaps to disguise the dependence of weak states, prove only in those which are strong, the mutual desire of deceiving one another.

"France and England, by the abuse of their strength, may still, for a long time, for the misfortune of all nations, retard the period of their being exhausted. But I will venture to say it, the fate of all civilized nations is attached to the termination of a war which involves the whole world."

On the 22d of January 1800, the overture received from France, together with the answers of the British government rejecting the said overtures, were laid, by his majesty's command, before both Houses; and on the 3d of February Mr. Secretary Dundas moved, "That an humble address be presented to his majesty, to return his majesty the thanks of this House, for his most gracious message, and for having been graciously pleased to direct, that there should be laid before this House, copies of the communications recently received from the enemy, and of the answers which have been returned thereto by his majesty's command: To assure his majesty, that we consider the conduct which his majesty has held on this occasion to be such as was dictated by his regard to the most important interests of his dominions, and that, while we join with his majesty in looking eagerly to the period when it may become practicable to re-establish the general tranquillity of

Europe on a sure and solid foundation, and at the same time provide effectually for the security and permanent prosperity of his people, we shall feel it in the interval our indispensable duty to continue to his majesty, on behalf of those whom we represent, our firm and decided support in such measures as may best tend to confirm the signal advantages which have been obtained to the common cause in the course of the last campaign, and to conduct the great contest in which his majesty is engaged to a safe and honourable conclusion; and that, impressed with these sentiments, we shall not fail to make such provision as, under the present circumstances, may appear to be necessary for the several branches of the public service, and for the vigorous prosecution of the war." The address was supported by Mr. Canning and Mr. Pitt, and powerfully opposed by Mr. Whitbread, Mr. Erskine, and Mr. Fox. As soon as Mr. Pitt concluded his speech,

Mr. Fox rose and spoke as follows: — Mr. Speaker, at so late an hour of the night, I am sure you will do me the justice to believe that I do not mean to go at length into the discussion of this great question. Exhausted as the attention of the House must be, and unaccustomed as I have been of late to attend in my place, nothing but a deep sense of my duty could have induced me to trouble you at all, and particularly to request your indulgence at such an hour.

Sir, my honourable and learned friend (Mr. Erskine) has truly said, that the present is a new æra in the war. The right honourable the chancellor of the exchequer feels the justice of the remark; for by travelling back to the commencement of the war, and referring to all the topics and arguments which he has so often and so successfully urged to the House, and by which he has drawn them on to the support of his measures, he is forced to acknowledge, that, at the end of a seven years' conflict, we are come but to a new æra in the war, at which he thinks it necessary only to press all his former arguments to induce us to persevere. All the topics which have so often misled us — all the reasoning which has so invariably failed — all the lofty predictions which have so constantly been falsified by events — all the hopes which have amused the sanguine, and all the assurances of the distress and weakness of the enemy which have satisfied the unthinking, are again enumerated and advanced as arguments for our continuing the war. What! at the end of seven years of the most burdensome and the most calamitous struggle that this country was ever engaged in, are we again to be amused with notions of finance and calculations of the exhausted resources of the enemy, as a ground of confidence and of hope? Gracious God! Were we not told, five years ago, that France was not only on the brink, but that she was

actually in the gulph of bankruptcy? Were we not told, as an unanswerable argument against treating, that she could not hold out another campaign — that nothing but peace could save her — that she wanted only time to recruit her exhausted finances — that to grant her repose, was to grant her the means of again molesting this country, and that we had nothing to do but persevere for a short time, in order to save ourselves for ever from the consequences of her ambition and her jacobinism? What! after having gone on from year to year upon assurances like these, and after having seen the repeated refutations of every prediction, are we again to be seriously told, that we have the same prospect of success on the same identical grounds? And without any other argument or security, are we invited, at this new æra of the war, to carry it on upon principles which, if adopted, may make it eternal? If the right honourable gentleman shall succeed in prevailing on parliament and the country to adopt the principles which he has advanced this night, I see no possible termination to the contest. No man can see an end to it; and upon the assurances and predictions which have so uniformly failed, are we called upon, not merely to refuse all negociation, but to countenance principles and views as distant from wisdom and justice, as they are in their nature wild and impracticable.

I must lament, Sir, in common with every friend of peace, the harsh and unconciliating language which ministers have held towards the French, and which they have even made use of in their answer to a respectful offer of negociation. Such language has ever been considered as extremely unwise, and has ever been reprobated by diplomatic men. I remember with pleasure the terms in which Lord Malmesbury at Paris, in the year 1796, replied to expressions of this sort, used by M. de la Croix. He justly said, "that offensive and injurious insinuations were only calculated to throw new obstacles in the way of accommodation, and that it was not by revolting reproaches, nor by reciprocal invective, that a sincere wish to accomplish the great work of pacification could be evinced." Nothing could be more proper nor more wise than this language; and such ought ever to be the tone and conduct of men entrusted with the very important task of treating with an hostile nation. Being a sincere friend to peace, I must say with Lord Malmesbury, that it is not by reproaches and by invective that we can hope for a reconciliation; and I am convinced in my own mind, that I speak the sense of this House, and of a majority of the people of this country, when I lament that any unnecessary recriminations should be flung out, by which obstacles are put in the

way of pacification. I believe that it is the prevailing sentiment of the people, that we ought to abstain from harsh and insulting language; and in common with them I must lament, that both in the papers of Lord Grenville, and in the speeches of this night, such licence has been given to invective and reproach. For the same reason I must lament, that the right honourable gentleman has thought proper to go at such length, and with such severity of minute investigation, into all the early circumstances of the war, which, whatever they were, are nothing to the present purpose, and ought not to influence the present feelings of the House.

I certainly shall not follow him into all the minute detail, though I do not agree with him in many of his assertions. I do not know what impression his narrative may make on other gentlemen; but I will tell him, fairly and candidly, he has not convinced me. I continue to think, and until I see better grounds for changing my opinion than any that the right honourable gentleman has this night produced, I shall continue to think and to say, plainly and explicitly, that this country was the aggressor in the war. But with regard to Austria and Prussia — is there a man who, for one moment, can dispute that they were the aggressors? It will be vain for the right honourable gentlemen to enter into long and plausible reasoning against the evidence of documents so clear, so decisive — so frequently, so thoroughly investigated. The unfortunate Louis XVI. himself, as well as those who were in his confidence, have borne decisive testimony to the fact, that between him and the emperor, there was an intimate correspondence, and a perfect understanding. Do I mean by this that a positive treaty was entered into for the dismemberment of France? Certainly not, but no man can read the declarations which were made at Mantua, as well as at Pilnitz, as they are given by M. Bertrand de Moleville, without acknowledging that there was not merely an intention, but a declaration of an intention, on the part of the great powers of Germany, to interfere in the internal affairs of France, for the purpose of regulating the government against the opinion of the people. This, though not a plan for the partition of France, was, in the eye of reason and common sense, an aggression against France. The right honourable gentleman denies that there was such a thing as a treaty of Pilnitz. Granted. But was there not a declaration which amounted to an act of hostile aggression? The two powers, the Emperor of Germany and the King of Prussia, made a public declaration, that they were determined to employ their forces, in conjunction with those of the other sovereigns of Europe, "to put the King of France in a situation to esta-

blish, in perfect liberty, the foundations of a monarchical government, equally agreeable to the rights of sovereigns, and the welfare of the French." Whenever the other princes should agree to co-operate with them, "then, and in that case, their majesties were determined to act promptly, and by mutual consent, with the forces necessary to obtain the end proposed by all of them. In the mean time they declared, that they would give orders for their troops to be ready for actual service." Now, I would ask gentlemen to lay their hands upon their hearts, and say, what the fair construction of this declaration was — whether it was not a menace and an insult to France, since, in direct terms, it declared, that whenever the other powers should concur, they would attack France, then at peace with them, and then employed only in domestic and internal regulations? Let us suppose the case to be that of Great Britain. Will any gentleman say, if two of the great powers should make a public declaration, that they were determined to make an attack on this kingdom as soon as circumstances should favour their intention; that they only waited for this occasion; and that in the mean time they would keep their forces ready for the purpose; that it would not be considered by the parliament and people of this country as an hostile aggression? And is there an Englishman in existence, who is such a friend to peace as to say, that the nation could retain its honour and dignity if it should sit down under such a menace? I know too well what is due to the national character of England, to believe that there would be two opinions on the case, if thus put home to our own feelings and understanding. We must, then, respect in others the indignation which such an act would excite in ourselves; and when we see it established on the most indisputable testimony, that both at Pilnitz and at Mantua declarations were made to this effect, it is idle to say, that as far as the emperor and the King of Prussia were concerned, they were not the aggressors in the war.

"Oh! but the decree of the 19th of November 1792! that, at least," the right honourable gentleman says, "you must allow to be an act of aggression, not only against England, but against all the sovereigns of Europe." I am not one of those, Sir, who attach much interest to the general and indiscriminate provocations thrown out at random, like this resolution of the 19th of November 1792. I do not think it necessary to the dignity of any people to notice and to apply to themselves menaces flung out without particular allusion, which are always unwise in the power which uses them, and which it is still more unwise to treat with seriousness. But, if any such idle and general provocation to

nations is given, either in insolence or in folly, by any government, it is a clear first principle, that an explanation is the thing, which a magnanimous nation, feeling itself aggrieved, ought to demand; and if an explanation be given which is not satisfactory, it ought clearly and distinctly to say so. There ought to be no ambiguity, no reserve, on the occasion. Now, we all know from documents on our table, that M. Chauvelin did give an explanation of this silly decree. He declared in the name of his government, "that it was never meant that the French government should favour insurrections; that the decree was applicable only to those people, who, after having acquired their liberty by conquest, should demand the assistance of the republic; but that France would respect, not only the independence of England, but also that of her allies with whom she was not at war." This was the explanation given of the offensive decree. "But this explanation was not satisfactory!" Did you say so to M. Chauvelin? Did you tell him that you were not content with this explanation? And when you dismissed him afterwards, on the death of the king, did you say that this explanation was unsatisfactory? No; you did no such thing: and I contend, that unless you demanded farther explanations, and they were refused, you have no right to urge the decree of the 19th of November as an act of aggression. In all your conferences and correspondence with M. Chauvelin, did you hold out to him what terms would satisfy you? Did you give the French the power or the means of settling the misunderstanding which that decree, or any other of the points at issue, had created? I contend, that when a nation refuses to state to another the thing which would satisfy her, she shews that she is not actuated by a desire to preserve peace between them: and I aver, that this was the case here. The Scheldt, for instance. You now say, that the navigation of the Scheldt was one of your causes of complaint. Did you explain yourself on that subject? Did you make it one of the grounds for the dismissal of M. Chauvelin. Sir, I repeat it, a nation, to justify itself in appealing to the last solemn resort, ought to prove that it had taken every possible means, consistent with dignity, to demand the reparation which would be satisfactory, and if she refused to explain what would be satisfactory, she did not do her duty, nor exonerate herself from the charge of being the aggressor.

The right honourable gentleman has this night, for the first time, produced a most important paper—the instructions which were given to his majesty's minister at the court of St. Petersburgh, about the end of the year 1792, to interest her imperial majesty to join her efforts with those of his

Britannic majesty, to prevent, by their joint mediation, the evils of a general war. Of this paper, and of the existence of any such document, I for one was entirely ignorant; but I have no hesitation in saying, that I completely approve of the instructions which appear to have been given; and I am sorry to see the right honourable gentleman disposed rather to take blame to himself than credit for having written it. He thinks that he shall be subject to the imputation of having been rather too slow to apprehend the dangers with which the French Revolution was fraught, than that he was forward and hasty — "*Quod solum excusat, hoc solum miror in illo.*" I do not agree with him on the idea of censure. I by no means think that he was blameable for too much confidence in the good intentions of the French. I think the tenor and composition of this paper was excellent — the instructions conveyed in it wise; and that it wanted but one essential thing to have entitled it to general approbation — namely, to be acted upon. The clear nature and intent of that paper, I take to be, that our ministers were to solicit the court of Petersburgh to join with them in a declaration to the French government, stating explicitly what course of conduct, with respect to their foreign relations, they thought necessary to the general peace and security of Europe, and what, if complied with, would have induced them to mediate for that purpose — a proper, wise, and legitimate course of proceeding. Now, I ask, Sir, whether, if this paper had been communicated to Paris at the end of the year 1792, instead of Petersburgh, it would not have been productive of most seasonable benefits to mankind; and, by informing the French in time of the means by which they might have secured the mediation of Great Britain, have not only avoided the rupture with this country, but have also restored general peace to the continent? The paper, Sir, was excellent in its intentions; but its merit was all in the composition. It was a fine theory, which ministers did not think proper to carry into practice. Nay, on the contrary, at the very time they were drawing up this paper, they were insulting M. Chauvelin, in every way, until about the 23d or 24th of January 1793, when they finally dismissed him, without stating any one ground upon which they were willing to preserve terms with the French.

"But France," it seems, "then declared war against us; and she was the aggressor, because the declaration came from her." Let us look at the circumstances of this transaction on both sides. Undoubtedly, the declaration was made by her; but is a declaration the only thing that constitutes the commencement of a war? Do gentlemen recollect, that, in con-

sequence of a dispute about the commencement of war, respecting the capture of a number of ships, an article was inserted in our treaty with France, by which it was positively stipulated, that in future, to prevent all disputes, the act of the dismissal of a minister from either of the two courts should be held and considered as tantamount to a declaration of war? I mention this, Sir, because, when we are idly employed in this retrospect of the origin of a war which has lasted so many years, instead of fixing our eyes only to the contemplation of the means of putting an end to it, we seem disposed to overlook every thing on our own parts, and to search only for grounds of imputation on the enemy. I almost think it an insult on the House to detain them with this sort of examination. If, Sir, France was the aggressor, as the right honourable gentleman says she was throughout, why did not Prussia call upon us for the stipulated number of troops, according to the article of the defensive treaty of alliance subsisting between us, by which, in case either of the contracting parties was attacked, they had a right to demand the stipulated aid? And the same thing, again, may be asked when we were attacked. The right honourable gentleman might here accuse himself, indeed, of reserve; but it unfortunately happened, that, at the time, the point was too clear on which side the aggression lay. Prussia was too sensible that the war could not entitle her to make the demand, and that it was not a case within the scope of the defensive treaty. This is evidence worth a volume of subsequent reasoning; for if, at the time when all the facts were present to their minds, they could not take advantage of existing treaties, and that, too, when the courts were on the most friendly terms with one another, it will be manifest to every thinking man that they were sensible they were not authorized to make the demand.

I really, Sir, cannot think it necessary to follow the right honourable gentleman into all the minute details which he has thought proper to give us respecting the first aggression; but, that Austria and Prussia were the aggressors, not a man in any country, who has ever given himself the trouble to think at all on the subject, can doubt. Nothing could be more hostile than their whole proceedings. Did they not declare to France, that it was their internal concerns, not their external proceedings, which provoked them to confederate against her? Look back to the proclamations with which they set out. Read the declarations which they made themselves, to justify their appeal to arms. They did not pretend to fear their ambition, their conquests, their troubling their neighbours; but they accused them of new-modelling their own government. They said nothing of their aggres-

sions abroad; they spoke only of their clubs and societies at Paris.

Sir, in all this, I am not justifying the French — I am not striving to absolve them from blame, either in their internal or external policy. I think, on the contrary, that their successive rulers have been as bad and as execrable, in various instances, as any of the most despotic and unprincipled governments that the world ever saw. I think it impossible, Sir, that it should have been otherwise. It was not to be expected that the French, when once engaged in foreign wars, should not endeavour to spread destruction around them, and to form plans of aggrandizement and plunder on every side. Men bred in the school of the house of Bourbon could not be expected to act otherwise. They could not have lived so long under their antient masters, without imbibing the restless ambition, the perfidy, and the insatiable spirit of the race. They have imitated the practice of their great prototype, and, through their whole career of mischief and of crimes, have done no more than servilely trace the steps of their own Louis XIV. If they have over-run countries and ravaged them, they have done it upon Bourbon principles. If they have ruined and dethroned sovereigns, it is entirely after the Bourbon manner. If they have even fraternized with the people of foreign countries, and pretended to make their cause their own, they have only faithfully followed the Bourbon example. They have constantly had Louis, the grand monarque, in their eye. But it may be said, that this example was long ago, and that we ought not to refer to a period so distant. True, it is a distant period as applied to the man, but not so to the principle. The principle was never extinct; nor has its operation been suspended in France, except, perhaps, for a short interval, during the administration of Cardinal Fleury; and my complaint against the republic of France is, not that she has generated new crimes, not that she has promulgated new mischief, but that she has adopted and acted upon the principles which have been so fatal to Europe, under the practice of the house of Bourbon. It is said, that wherever the French have gone, they have introduced revolution; that they have sought for the means of disturbing neighbouring states, and have not been content with mere conquest. What is this but adopting the ingenious scheme of Louis XIV.? He was not content with merely over-running a state; — whenever he came into a new territory, he established what he called his chamber of claims; a most convenient device, by which he inquired, whether the conquered country or province had any dormant or disputed claims, any cause of complaint, any

unsettled demand upon any other state or province — upon which he might wage war upon such state, thereby discover again ground for new devastation, and gratify his ambition by new acquisitions. What have the republicans done more atrocious, more jacobinical, than this? Louis went to war with Holland. His pretext was, that Holland had not treated him with sufficient respect; — a very just and proper cause for war indeed! This, Sir, leads me to an example which I think seasonable, and worthy the attention of his majesty's ministers. When our Charles II. as a short exception to the policy of his reign, made the triple alliance for the protection of Europe, and particularly of Holland, against the ambition of Louis XIV. what was the conduct of that great, virtuous, and most able statesman, M. de Witt, when the confederates came to deliberate on the terms upon which they should treat with the French monarch? When it was said, that he had made unprincipled conquests, and that he ought to be forced to surrender them all, what was the language of that great and wise man? "No," said he; "I think we ought not to look back to the origin of the war, so much as the means of putting an end to it. If you had united in time to prevent these conquests, well; but, now that he has made them, he stands upon the ground of conquest, and we must agree to treat with him, not with reference to the origin of the conquest, but with regard to his present posture. He has those places, and some of them we must be content to give up as the means of peace; for conquest will always successfully set up its claims to indemnification." Such was the language of this minister, who was the ornament of his time; and such, in my mind, ought to be the language of statesmen, with regard to the French, at this day. The same ought to have been said at the formation of the confederacy. It was true that the French had over-run Savoy; but they had over-run it upon Bourbon principles; and having gained this and other conquests before the confederacy was formed, they ought to have treated with her rather for future security, than for past correction. States in possession, whether monarchical or republican, will claim indemnity in proportion to their success; and it will never be so much inquired, by what right they gained possession, as by what means they can be prevented from enlarging their depredations. Such is the safe practice of the world; and such ought to have been the conduct of the powers when the reduction of Savoy made them coalesce.

The right honourable gentleman may know more of the secret particulars of their over-running Savoy than I do; but certainly, as they have come to my knowledge, it was a most

Bourbon-like act. A great and justly celebrated historian, whom I will not call a foreigner — I mean Mr. Hume (a writer, certainly estimable in many particulars, but who was a childish lover of princes) — talks of Louis XIV. in very magnificent terms; but he says of him, that, though he managed his enterprizes with skill and bravery, he was unfortunate in this, that he never got a good and fair pretence for war. This he reckons among his misfortunes! Can we say more of the republican French? In seizing on Savoy, I think they made use of the words, "*convenances morales et physiques.*" These were their reasons. A most Bourbon-like phrase! And I therefore contend, that as we never scrupled to treat with the princes of the house of Bourbon on account of their rapacity, their thirst of conquest, their violation of treaties, their perfidy, and their restless spirit, so we ought not to refuse to treat with their republican imitators. Ministers could not pretend ignorance of the unprincipled manner in which the French had seized on Savoy. The Sardinian minister complained of the aggression, and yet no stir was made about it. The courts of Europe stood by, and saw the outrage; and our ministers saw it. The right honourable gentleman will in vain, therefore, exert his powers to persuade me of the interest he takes in the preservation of the rights of nations, since, at the moment when an interference might have been made with effect, no step was taken, no remonstrance made, no mediation negociated, to stop the career of conquest. All the pretended and hypocritical sensibility for the "rights of nations, and for social order," with which we have since been stunned, cannot impose upon those who will take the trouble to look back to the period when this sensibility ought to have roused us into seasonable exertion. At that time, however, the right honourable gentleman makes it his boast, that he was prevented, by a sense of neutrality, from taking any measures of precaution on the subject. I do not give the right honourable gentleman much credit for his spirit of neutrality on the occasion. It flowed from the sense of the country at the time, the great majority of which was clearly and decidedly against all interruptions being given to the French in their desire of regulating their own internal government.

But this neutrality, which respected only the internal rights of the French, and from which the people of England would never have departed but for the impolitic and hypocritical cant which was set up to rouse their jealousy and alarm their fears, was very different from the great principle of political prudence which ought to have actuated the councils of the nation, on seeing the first steps of France

towards a career of external conquest. My opinion is, that when the unfortunate King of France offered to us, in the letter delivered by M. Chauvelin and M. Talleyrand, and even intreated us to mediate between him and the allied powers of Austria and Prussia, they ought to have accepted the offer, and exerted their influence to save Europe from the consequence of a system which was then beginning to manifest itself. It was, at least, a question of prudence; and as we had never refused to treat and to mediate with the old princes on account of their ambition or their perfidy, we ought to have been equally ready now, when the same principles were acted upon by other men. I must doubt the sensibility which could be so cold and so indifferent at the proper moment for its activity. I fear that there were at that moment the germs of ambition rising in the mind of the right honourable gentleman, and that he was beginning, like others, to entertain hopes that something might be obtained out of the coming confusion. What but such a sentiment could have prevented him from overlooking the fair occasion that was offered for preventing the calamities with which Europe was threatened? What but some such interested principle could have made him forego the truly honourable task, by which his administration would have displayed its magnanimity and its power? But for some such feeling, would not this country, both in wisdom and in dignity, have interfered, and in conjunction with the other powers, have said to France, "You ask for a mediation; we will mediate with candour and sincerity, but we will at the same time declare to you our apprehensions. We do not trust to your assertion of a determination to avoid all foreign conquest, and that you are desirous only of settling your own constitution, because your language is contradicted by experience and the evidence of facts. You are Frenchmen, and you cannot so soon have thrown off the Bourbon principles in which you were educated. You have already imitated the bad practice of your princes; you have seized on Savoy, without a colour of right. But here we take our stand. Thus far you have gone, and we cannot help it; but you must go no farther. We will tell you distinctly what we shall consider as an attack on the balance and the security of Europe; and, as the condition of our interference, we will tell you also the securities that we think essential to the general repose." This ought to have been the language of his majesty's ministers when their mediation was solicited; and something of this kind they evidently thought of when they sent the instructions to Petersburgh which they have mentioned this night, but upon which they never acted. Having not done so, I say,

they have no claim to talk now about the violated rights of Europe, about the aggression of the French, and about the origin of the war, in which this country was so suddenly afterwards plunged. Instead of this, what did they do? They hung back; they avoided explanation; they gave the French no means of satisfying them; and I repeat my proposition — when there is a question of peace and war between two nations, that government feels itself in the wrong which refuses to state with clearness and precision what she would consider as a satisfaction and a pledge of peace.

Sir, if I understand the true precepts of the christian religion, as set forth in the New Testament, I must be permitted to say, that there is no such thing as a rule or doctrine by which we are directed, or can be justified, in waging a war for religion. The idea is subversive of the very foundations upon which it stands, which are those of peace and good-will among men. Religion never was, and never can be, a justifiable cause of war; but it has been too often grossly used as the pretext and the apology for the most unprincipled wars.

I have already said, and I repeat it, that the conduct of the French to foreign nations cannot be justified. They have given great cause of offence, but certainly not to all countries alike. The right honourable gentlemen opposite to me have made an indiscriminate catalogue of all the countries which the French have offended, and, in their eagerness to throw odium on the nation, have taken no pains to investigate the sources of their several quarrels. I will not detain the House, by entering into the long detail which has been given of their aggressions and their violences; but let me mention Sardinia as one instance which has been strongly insisted upon. Did the French attack Sardinia when at peace with them? No such thing. The King of Sardinia had accepted of a subsidy from Great Britain; and Sardinia was, to all intents and purposes, a belligerent power. Several other instances might be mentioned; but though, perhaps, in the majority of instances, the French may be unjustifiable, is this the moment for us to dwell upon these enormities — to waste our time, and inflame our passions, by recriminating upon each other? There is no end to such a war. I have somewhere read, I think in Sir Walter Raleigh's History of the World, of a most bloody and fatal battle which was fought by two opposite armies, in which almost all the combatants on both sides were killed, "because," says the historian, "though they had offensive weapons on both sides, they had none for defence." So, in this war of words, if we are to use only offensive weapons, if we are to indulge only in invective and abuse, the contest must be eternal. If this war of re-

reproach and invective is to be countenanced, may not the French with equal reason complain of the outrages and the horrors committed by the powers opposed to them? If we must not treat with the French on account of the iniquity of their former transactions, ought we not to be as scrupulous of connecting ourselves with other powers equally criminal? Surely, Sir, if we must be thus rigid in scrutinizing the conduct of an enemy, we ought to be equally careful in not committing our honour and our safety with an ally who has manifested the same want of respect for the rights of other nations. Surely, if it is material to know the character of a power with whom you are only about to treat for peace, it is more material to know the character of allies, with whom you are about to enter into the closest connection of friendship, and for whose exertions you are about to pay.

Now, Sir, what was the conduct of your own allies to Poland? Is there a single atrocity of the French, in Italy, in Switzerland, in Egypt, if you please, more unprincipled and inhuman, than that of Russia, Austria, and Prussia, in Poland? What has there been in the conduct of the French to foreign powers; what in the violation of solemn treaties; what in the plunder, devastation, and dismemberment of unoffending countries; what in the horrors and murders perpetrated upon the subdued victims of their rage in any district which they have over-run, worse than the conduct of those three great powers, in the miserable, devoted, and trampled-on kingdom of Poland, and who have been, or are, our allies in this war for religion, social order, and the rights of nations? "Oh! but we regretted the partition of Poland!" Yes, regretted! you regretted the violence, and that is all you did. You united yourselves with the actors; you, in fact, by your acquiescence, confirmed the atrocity. But they are your allies; and though they over-ran and divided Poland, there was nothing, perhaps, in the manner of doing it, which stamped it with peculiar infamy and disgrace. The hero of Poland, perhaps, was merciful and mild! He was "as much superior to Bonaparte in bravery, and in the discipline which he maintained, as he was superior in virtue and humanity! He was animated by the purest principles of Christianity, and was restrained in his career by the benevolent precepts which it inculcates!" Was he? Let unfortunate Warsaw, and the miserable inhabitants of the suburb of Praga in particular, tell! What do we understand to have been the conduct of this magnanimous hero, with whom, it seems, Bonaparte is not to be compared? He entered the suburb of Praga, the most populous suburb of Warsaw; and there he let his soldiery loose on the miserable, unarmed and unresisting people!

Men, women, and children, nay, infants at the breast, were doomed to one indiscriminate massacre! Thousands of them were inhumanly, wantonly, butchered! And for what? Because they had dared to join in a wish to meliorate their own condition as a people, and to improve their constitution, which had been confessed by their own sovereign to be in want of amendment. And such is the hero upon whom the cause of "religion and social order" is to repose! And such is the man whom we praise for his discipline and his virtue, and whom we hold out as our boast and our dependence, while the conduct of Bonaparte unfits him to be even treated with as an enemy!

But the behaviour of the French towards Switzerland raises all the indignation of the right honourable gentleman and inflames his eloquence. I admire the indignation which he expresses (and I think he felt it) in speaking of this country, so dear and so congenial to every man who loves the sacred name of liberty. He who loves liberty, says the right honourable gentleman, thought himself at home on the favoured and happy mountains of Switzerland, where she seemed to have taken up her abode under a sort of implied compact, among all other states, that she should not be disturbed in this her chosen asylum. I admire the eloquence of the right honourable gentleman in speaking of this country of liberty and peace, to which every man would desire, once in his life at least, to make a pilgrimage. But who, let me ask him, first proposed to the Swiss people to depart from the neutrality which was their chief protection, and to join the confederacy against the French? I aver, that a noble relation of mine, (Lord Robert Fitzgerald,) then the minister of England to the Swiss Cantons, was instructed, in direct terms, to propose to the Swiss, by an official note, to break from the safe line they had laid down for themselves, and to tell them, "in such a contest neutrality was criminal." I know that noble lord too well, though I have not been in habits of intercourse with him of late, from the employments in which he has been engaged, to suspect that he would have presented such a paper without the express instructions of his court, or that he would have gone beyond those instructions.

But, was it only to Switzerland that this sort of language was held? What was our language also to Tuscany and to Genoa? An honourable gentleman (Mr. Canning) has denied the authenticity of a pretended letter which has been circulated, and ascribed to Lord Harvey. He says, it is all a fable and a forgery. Be it so; but is it also a fable that Lord Harvey did speak in terms to the Grand Duke, which he considered as offensive and insulting? I cannot tell, for I was not present. But was it not, and is it not believed? Is it a fable that

Lord Harvey went into the closet of the Grand Duke, laid his watch upon the table, and demanded, in a peremptory manner, that he should, within a certain number of minutes, I think I have heard within a quarter of an hour, determine, aye or no, to dismiss the French minister, and order him out of his dominions; with the menace, that if he did not, the English fleet should bombard Leghorn? Will the honourable gentleman deny this also? I certainly do not know it from my own knowledge; but I know, that persons of the first credit, then at Florence, have stated these facts, and that they have never been contradicted. It is true, that upon the Grand Duke's complaint of this indignity, Lord Harvey was recalled; but was the principle recalled? Was the mission recalled? Did not ministers persist in the demand which Lord Harvey had made, perhaps ungraciously? Was not the Grand Duke forced, in consequence, to dismiss the French minister? and did they not drive him to enter into an unwilling war with the republic? It is true that he afterwards made his peace; and that, having done so, he was treated severely and unjustly by the French. But what do I conclude from all this, but that we have no right to be scrupulous, we who have violated the respect due to peaceable powers ourselves, in this war, which, more than any other that ever afflicted human nature, has been distinguished by the greatest number of disgusting and outrageous insults to the smaller powers by the great. And I infer from this also, that the instances not being confined to the French, but having been perpetrated by every one of the allies, and by England as much as by the others, we have no right to refuse to treat with the French on this ground. Need I speak of your conduct to Genoa also? Perhaps the note delivered by Mr. Drake was also a forgery. Perhaps the blockade of the port never took place. It is impossible to deny the facts, which were so glaring at the time. It is a painful thing to me, Sir, to be obliged to go back to these unfortunate periods of the history of this war, and of the conduct of this country; but I am forced to the task by the use which has been made of the atrocities of the French as an argument against negociation. I think I have said enough to prove, that if the French have been guilty, we have not been innocent. Nothing but determined incredulity can make us deaf and blind to our own acts, when we are so ready to yield an assent to all the reproaches which are thrown out on the enemy, and upon which reproaches we are gravely told to continue the war.

"But the French," it seems, "have behaved ill every where. They seized on Venice, which had preserved the most exact neutrality, or rather," as it is hinted, "had manifested symptoms of friendship to them." I agree with the

right honourable gentleman, it was an abominable act. I am not the apologist of, much less the advocate for their iniquities; neither will I countenance them in their pretences for the injustice. I do not think that much regard is to be paid to the charges which a triumphant soldiery bring on the conduct of a people whom they have over-run. Pretences for outrage will never be wanting to the strong, when they wish to trample on the weak; but when we accuse the French of having seized on Venice, after stipulating for its neutrality and guaranteeing its independence, we should also remember the excuse that they made for the violence; namely, that their troops had been attacked and murdered. I say I am always incredulous about such excuses; but I think it fair to hear whatever can be alleged on the other side. We cannot take one side of a story only. Candour demands that we should examine the whole before we make up our minds on the guilt. I cannot think it quite fair to state the view of the subject of one party as indisputable fact, without even mentioning what the other party has to say for itself. But, Sir, is this all? Though the perfidy of the French to the Venetians be clear and palpable, was it worse in morals, in principle, and in example, than the conduct of Austria? My honourable friend (Mr. Whitbread) properly asked, "Is not the receiver as bad as the thief?" If the French seized on the territory of Venice, did not the Austrians agree to receive it? "But this," it seems, "is not the same thing." It is quite in the nature, and within the rule of diplomatic morality, for Austria to receive the country which was thus seized upon unjustly. "The emperor took it as a compensation; it was his by barter; he was not answerable for the guilt by which it was obtained." What is this, Sir, but the false and abominable reasoning with which we have been so often disgusted on the subject of the slave trade? Just in the same manner have I heard a notorious wholesale dealer in this inhuman traffic justify his abominable trade. "I am not guilty of the horrible crime of tearing that mother from her infants; that husband from his wife; of depopulating that village; of depriving that family of their sons, the support of their aged parent! No: thank Heaven! I am not guilty of this horror; I only bought them in the fair way of trade. They were brought to the market; they had been guilty of crimes, or they had been made prisoners in war; they were accused of witchcraft, of obi, or of some other sort of sorcery; and they were brought to me for sale; I gave a valuable consideration for them; but God forbid that I should have stained my soul with the guilt of dragging them from their friends and families!" Such has been the precious defence of the slave trade;

and such is the argument set up for Austria, in this instance of Venice. "I did not commit the crime of trampling on the independence of Venice. I did not seize on the city; I gave a *quid pro quo*. It was a matter of barter and indemnity; I gave half a million of human beings to be put under the yoke of France in another district, and I had these people turned over to me in return!" This, Sir, is the defence of Austria; and under such detestable sophistry as this, is the infernal traffic in human flesh, whether in white or black, to be continued, and even justified! At no time has that diabolical traffic been carried to a greater length than during the present war; and that by England herself, as well as Austria and Russia.

"But France," it seems, "has roused all the nations of Europe against her;" and the long catalogue has been read to you, to prove that she must have been atrocious to provoke them all. Is it true, Sir, that she has roused them all? It does not say much for the address of his majesty's ministers, if this be the case. What, Sir! have all your negociations, all your declamation, all your money, been squandered in vain? Have you not succeeded in stirring the indignation, and engaging the assistance, of a single power? But you do yourselves injustice. I dare say the truth lies between you. Between their crimes and your money the rage has been excited; and full as much is due to your seductions, as to her atrocities. My honourable and learned friend (Mr. Erskine) was correct, therefore, in his argument; for you cannot take both sides of the case: you cannot accuse them of having provoked all Europe, and at the same time claim the merit of having roused them to join you.

You talk of your allies. Sir, I wish to know who your allies are? Russia is one of them, I suppose. Did France attack Russia? Has the magnanimous Paul taken the field for social order and religion, on account of personal aggression? The Emperor of Russia has declared himself Grand Master of Malta, though his religion is as opposite to that of the knights as ours is; and he is as much considered an heretic by the church of Rome as we are. The King of Great Britain might, with as much propriety, declare himself the head of the order of the Chartreuse monks. Not content with taking to himself the commandery of this institution of Malta, Paul has even created a married man a knight, contrary to all the most sacred rules and regulations of the order. And yet this ally of ours is fighting for religion! — So much for his religion: Let us see his regard to social order! How does he shew his abhorrence of the principles of the French, in their violation of the rights of other nations? What has been his

conduct to Denmark? He says to Denmark — "You have seditious clubs at Copenhagen - No Danish vessel shall enter the ports of Russia!" He holds a still more despotic language to Hamburgh. He threatens to lay an embargo on their trade; and he forces them to surrender up men who are claimed by the French as their citizens — whether truly or not, I do not inquire. He threatens them with his own vengeance if they refuse, and subjects them to that of the French if they comply. And what has been his conduct to Spain? He first sends away the Spanish minister from Petersburgh, and then complains, as a great insult, that his minister was dismissed from Madrid! This is one of our allies; and he has declared that the object for which he has taken up arms, is to replace the antient race of the house of Bourbon on the throne of France, and that he does this for the cause of religion and social order! Such is the respect for religion and social order which he himself displays; and such are the examples of it with which we coalesce!

No man regrets, Sir, more than I do, the enormities that France has committed; but how do they bear upon the question as it now stands? Are we for ever to deprive ourselves of the benefits of peace, because France has perpetrated acts of injustice? Sir, we cannot acquit ourselves upon such ground. We have negociated. With the knowledge of these acts of injustice and disorder, we have treated with them twice; yet, the right honourable gentleman cannot enter into negociation with them now; and it is worth while to attend to the reasons that he gives for refusing their offer. The Revolution itself is no more an objection now, than it was in 1796, when he did negociate; for the government of France at that time was surely as unstable as it is now. The crimes of the French, the instability of their government, did not then prevent him; and why are they to prevent him now? He negociated with a government as unstable, and, baffled in that negociation, he did not scruple to open another at Lisle in 1797. We have heard a very curious account of these negociations this day, and, as the right honourable gentleman has emphatically told us, an "honest" account of them. He says he has no scruple in avowing that he apprehended danger from the success of his own efforts to procure a pacification, and that he was not displeased at its failure. He was sincere in his endeavours to treat, but he was not disappointed when they failed. I wish to understand the right honourable gentleman correctly. His declaration on the subject, then, I take to be this — that though sincere in his endeavours to procure peace in 1797, yet he apprehended greater danger from accomplishing his object, than from the continuance of war; and that he felt this ap-

prehension from the comparative views of the probable state of peace and war at that time. I have no hesitation in allowing the fact, that a state of peace, immediately after a war of such violence, must, in some respects, be a state of insecurity; but does this not belong, in a certain degree, to all wars? And are we never to have peace, because that peace may be insecure? But there was something, it seems, so peculiar in this war, and in the character and principles of the enemy, that the right honourable gentleman thought a peace in 1797 would be comparatively more dangerous than war. Why, then, did he treat? I beg the attention of the House to this—He treated, "because the unequivocal sense of the people of England was declared to be in favour of a negociation." The right honourable gentleman confesses the truth, then, that in 1797 the people were for peace. I thought so at the time: but you all recollect, that when I stated it in my place, it was denied. "True," they said, "you have procured petitions: but we have petitions too: we all know in what strange ways petitions may be procured, and how little they deserve to be considered as the sense of the people." This was their language at the time; but, now we find these petitions did speak the sense of the people, and that it was on this side of the House only, that the sense of the people was spoken. The majority spoke a contrary language. It is acknowledged, then, that the unequivocal sense of the people of England may be spoken by the minority of this House, and that it is not always by the test of numbers that an honest decision is to be ascertained. This House decided against what the right honourable gentleman knew to be the sense of the country; but he himself acted upon that sense against the vote of parliament.

The negociation in 1796 went off, as my honourable and learned friend (Mr. Erskine) has said, upon the question of Belgium; or, as the right honourable gentleman asserts, upon a question of principle. He negociated to please the people, but it went off "on account of a monstrous principle advanced by France, incompatible with all negociation." This is now said. Did the right honourable gentleman say so at the time? Did he fairly and candidly inform the people of England, that they broke off the negociation because the French had urged a basis that it was totally impossible for England at any time to grant? No such thing. On the contrary, when the negociation broke off, they published a manifesto, "renewing, in the face of Europe, the solemn declaration, that whenever the enemy should be disposed to enter on the work of a general pacification, in a spirit of conciliation and equity, nothing should be wanting on their part to contribute to the accom-

plishment of that great object." And, accordingly, in 1797, notwithstanding this incompatible principle, and with all the enormities of the French on their heads, they opened a new negociation at Lisle. They do not wait for any retractation of this incompatible principle; they do not wait even till overtures shall be made to them; but they solicit and renew a negociation themselves. I do not blame them for this, Sir; I say only that it is an argument against the assertion of an incompatible principle. It is a proof, that they did not then think as the right honourable gentleman now says they thought; but that they yielded to the sentiments of the nation, who were generally inclined to peace, against their own judgment; and, from a motive which I shall come to by and by, they had no hesitation, on account of the first rupture, to renew the negociation — it was renewed at Lisle; and this the French broke off, after the revolution at Paris on the 4th of September. What was the conduct of ministers upon this occasion? One would have thought, that, with the fresh insult at Lisle in their minds, with the recollection of their failure the year before at Paris, if it had been true that they found an incompatible principle, they would have talked a warlike language, and would have announced to their country and to all Europe, that peace was not to be obtained; that they must throw away the scabbard, and think only of the means of continuing the contest. No such thing. They put forth a declaration, in which they said, that they should look with anxious expectation for the moment when the government of France should shew a disposition and spirit corresponding with their own; and renewing before all Europe the solemn declaration, that at the very moment when the brilliant victory of Lord Duncan might have justified them in demanding more extravagant terms, they were willing, if the calamities of war could be closed, to conclude peace on the same moderate and equitable principles and terms which they had before proposed. Such was their declaration upon that occasion; and in the discussions which we had upon it in this House, ministers were explicit. They said, that by that negociation, there had been given to the world what might be regarded as an unequivocal test of the sincerity and disposition of government towards peace, or against it; for those who refuse discussion, shew that they are disinclined to pacification; and it is therefore, they said, always to be considered as a test, that the party who refuses to negociate, is the party who is disinclined to peace. This they themselves set up as the test. Try them now, Sir, by that test. An offer is made them. They rashly, and I think rudely, refuse it. Have they, or have they not, broken their own test?

But, they say, "we have not refused all discussion." They have put a case. They have expressed a wish for the restoration of the house of Bourbon, and have declared that to be an event which would immediately remove every obstacle to negociation. Sir, as to the restoration of the house of Bourbon, if it shall be the wish of the people of France, I for one shall be perfectly content to acquiesce. I think the people of France, as well as every other people, ought to have the government which they like best themselves; and the form of that government, or the persons who hold it in their hands, should never be an obstacle with me to treat with the nation for peace, or to live with them in amity — but as an Englishman, and actuated by English feelings, I surely cannot wish for the restoration of the house of Bourbon to the throne of France. I hope that I am not a man to bear heavily upon any unfortunate family. I feel for their situation — I respect their distresses — but as a friend of England, I cannot wish for their restoration to the power which they abused. I cannot forget that the whole history of the century is little more than an account of the wars and the calamities arising from the restless ambition, the intrigues, and the perfidy of the House of Bourbon.

I cannot discover, in any part of the laboured defence which has been set up for not accepting the offer now made by France, any argument to satisfy my mind that ministers have not forfeited the test which they held out as infallible in 1797. An honourable gentleman (Mr. Canning) thinks, that parliament should be eager only to approach the throne with declarations of their readiness to support his majesty in the farther prosecution of the war without inquiry; and he is quite delighted with an address, which he has found upon the journals, to King William, in which they pledged themselves to support him in his efforts to resist the ambition of Louis XIV. He thinks it quite astonishing how much it is in point, and how perfectly it applies to the present occasion. One would have thought, Sir, that in order to prove the application, he would have shewn that an offer had been respectfully made by the grand monarque to King William, to treat, which he had peremptorily, and in very irritating terms, refused; and that, upon this, the House of Commons had come forward, and, with one voice, declared their determination to stand by him, with their lives and fortunes, in prosecuting the just and necessary war. Not a word of all this; and yet the honourable gentleman finds it quite a parallel case, and an exact model for the House, on this day, to pursue. I really think, Sir, he might as well have taken any other address upon the journals, upon any other topic, as this address to King William. It would have been equally in point, and would have equally

served to shew the honourable gentleman's talents for reasoning.

Sir, I cannot here overlook another instance of this honourable gentleman's candid stile of debating, and of his respect for parliament. He has found out, it seems, that in former periods of our history, and even in periods which have been denominated good times, intercepted letters have been published; and he reads, from the Gazette, instances of such publication. Really, Sir, if the honourable gentleman had pursued the profession to which he turned his thoughts when younger, he would have learnt that it was necessary to find cases a little more in point. And yet, full of his triumph on this notable discovery, he has chosen to indulge himself in speaking of a most respectable and a most honourable person as any that this country knows, and who is possessed of as sound an undersanding as any man that I have the good fortune to be acquainted with, in terms the most offensive and disgusting, on account of words which he may be supposed to have said in another place, [alluding to the Duke of Bedford's speech in the House of Lords]. He has spoken of that noble person and of his intellect, in terms which, were I disposed to retort, I might say, shew the honourable gentleman to be possessed of an intellect which would justify me in passing over in silence any thing that comes from such a man. Sir, that noble person did not speak of the mere act of publishing the intercepted correspondence; and the honourable gentleman's reference to the Gazettes of former periods is, therefore, not in point. The noble duke complained of the manner in which these intercepted letters had been published, not of the fact itself of their publication; for, in the introduction and notes to those letters, the ribaldry is such, that they are not screened from the execration of every honourable mind even by their extreme stupidity. The honourable gentleman says, that he must treat with indifference the intellect of a man who can ascribe the present scarcity of corn to the war. Sir, I think there is nothing either absurd or unjust in such an opinion. Does not the war, necessarily, by its magazines, and still more by its expeditions, increase consumption? But, when we learn that corn is, at this very moment, sold in France for less than half the price which it bears here, is it not a fair thing to suppose, that, but for the war and its prohibitions, a part of that grain would be brought to this country, on account of the high price which it would sell for, and that, consequently, our scarcity would be relieved from their abundance? I speak only upon report, of course; but I see that the price quoted in the French markets is less, by one half, than the prices in England. There was nothing,

therefore, very absurd in what fell from my noble friend; and I would really advise the honourable gentleman, when he speaks of persons distinguished for every virtue, to be a little more guarded in his language. I see no reason why he and his friends should not leave to persons in another place, holding the same opinions as themselves, the task of answering what may be thrown out there. Is not the phalanx sufficient? It is no great compliment to their talents, considering their number, that they cannot be left to the task of answering the few to whom they are opposed; but, perhaps, the honourable gentleman has too little to do in this House, and is to be sent there himself. In truth, I see no reason why even he might not be sent, as well as some others who have been sent there.

To return to the subject of the negociation in 1797. It is, in my mind, extremely material to attend to the account which the right honourable gentleman gives of his memorable negociation of 1797, and of his motives for entering into it. In all questions of peace and war, he says, many circumstances must necessarily enter into the consideration; and that they are not to be decided upon the extremes: the determination must be made upon a balance and comparison of the evils or the advantages upon the one side and the other, and that one of the greatest considerations is that of finance. In 1797, the right honourable gentleman confesses he found himself peculiarly embarrassed as to the resources for the war, if they were to be found in the old and usual way of the funding system. Now, though he thought, upon his balance and comparison of considerations, that the evils of war would be fewer than those of peace, yet they would only be so provided that he could establish a "new and solid system of finance" in the place of the old and exhausted funding system: and to accomplish this, it was necessary to have the unanimous approbation of the people. To procure this unanimity, he pretended to be a friend to negociation, though he did not wish for the success of that negociation, but hoped, only, that through that means he should bring the people to agree to his new and solid system of finance. With these views, then, what does he do? Knowing that, contrary to his declarations in this House, the opinion of the people of England was generally for peace, he enters into a negociation, in which, as the world believed at the time, and even until this day, he completely failed — No such thing, Sir, — he completely succeeded — for his object was not to gain peace; it was to gain over the people of this country to a "new and a solid system of finance" — that is, to the *raising a great part* of the supplies within the year, to the triple assessment, and to *the tax*

upon income! And how did he gain them over? By pretending to be a friend of peace, which he was not; and by opening a negociation which he secretly wished might not succeed. The right honourable gentleman says, that in all this he was honest and sincere: he negociated fairly, and would have obtained the peace, if the French had shewn a disposition correspondent to his own; but he rejoiced that their conduct was such as to convince the people of England of the necessity of concurring with him in the views which he had, and in granting him the supply which he thought essential to their posture at the time. Sir, I will not say, that in all this he was not honest to his own purpose, and that he has not been honest in his declarations and confessions this night; but I cannot agree that he was honest to this House, or honest to the people of this country. To this House it was not honest to make them counteract the sense of the people, as he knew it to be expressed in the petitions upon the table; nor was it honest to the country, to act in a disguise, and to pursue a secret purpose, unknown to them, while affecting to take the road which they pointed out. I know not whether this may not be honesty in the political ethics of the right honourable gentleman, but I know that it would be called by a very different name in the common transactions of society, and in the rules of morality established in private life. I know of nothing, in the history of this country, that it resembles, except, perhaps, one of the most profligate periods — the reign of Charles II., when the sale of Dunkirk might probably have been justified by the same pretence. Charles also declared war against France, and did it to cover a negociation by which, in his difficulties, he was to gain a "solid system of finance."

But, Sir, I meet the right honourable gentleman on his own ground. I say that you ought to treat on the same principle on which you treated in 1797, in order to gain the cordial co-operation of the people. "We want experience, and the evidence of facts." Can there be any evidence of facts equal to that of a frank, open, and candid negociation? Let us see whether Bonaparte will display the same temper as his predecessors. If he shall do so, then you will confirm the people of England in their opinion of the necessity of continuing the war, and you will revive all the vigour which you roused in 1797. Or will you not do this until you have a reverse of fortune? Will you never treat, but when you are in a situation of distress, and when you have occasion to impose on the people?

"But," you say, "we have not refused to treat." You have stated a case in which you will be ready immediately to enter into a negociation, viz. the restoration of the house of

Bourbon; but you deny that this is a *sine quâ non;* and in your nonsensical language, which I do not understand, you talk of "limited possibilities," which may induce you to treat without the restoration of the house of Bourbon. But do you state what they are? Now, Sir, I say, that if you put one case, upon which you declare that you are willing to treat immediately, and say that there are other possible cases which may induce you to treat hereafter, without mentioning what these possible cases are, you do state a *sine quâ non* of immediate treaty. Suppose I have an estate to sell, and I say my demand is 1000*l.* for it — I will sell the estate immediately for that sum. To be sure, there may be other terms upon which I may be willing to part with it; but I say nothing of them. The 1000*l.* is the only condition that I state now. Will any gentleman say, that I do not make the 1000*l.* the *sine quâ non* of the immediate sale? Thus, you say, the restoration of the princes is not the only possible ground; but you give no other. This is your *projet.* Do you demand a *contre projet?* Do you follow your own rule? Do you not do the thing of which you complained in the enemy? You seemed to be afraid of receiving another proposition; and by confining yourselves to this one point, you make it in fact, though not in terms, your *sine quâ non.*

But the right honourable gentleman, in his speech, does what the official note avoids — He finds there the convenient words, "experience and the evidence of facts;" — upon these he goes into detail: and, in order to convince the House that new evidence is required, he goes back to all the earliest acts and crimes of the Revolution — to all the atrocities of all the governments that have passed away; and he contends that he must have experience that these foul crimes are repented of, and that a purer and a better system is adopted in France, by which he may be sure that they shall be capable of maintaining the relations of peace and amity. Sir, these are not conciliatory words; nor is this a practicable ground to gain experience. Does he think it possible, that evidence of a peaceable demeanour can be obtained in war? What does he mean to say to the French Consul? "Until you shall in war behave yourself in a peaceable manner, I will not treat with you." — Is there not something extremely ridiculous in this? In duels, indeed, we have often heard of this kind of language. Two gentlemen go out, and fight; when, after discharging their pistols at one another, it is not an unusual thing for one of them to say to the other — "Now I am satisfied — I see that you are a man of honour, and we are friends again." There is something, by the bye, ridiculous even in this; but between nations, it is more than ridi-

culous — it is criminal. It is a ground which no principle can justify, and which is as impracticable as it is impious. That two nations should be set on to beat one another into friendship, is too abominable even for the fiction of romance; but for a statesman, seriously and gravely to lay it down as a system upon which he means to act, is monstrous. What can we say of such a test as he means to put the French government to, but that it is hopeless? It is in the nature of war to inflame animosity — to exasperate, not to soothe — to widen, not to approximate. And so long as this is to be acted upon, it is vain to hope that we can have the evidence which we require.

The right honourable gentleman, however, thinks otherwise; and he points out four distinct possible cases, besides the re-establishment of the Bourbon family, in which he would agree to treat with the French.

1. "If Bonaparte shall conduct himself so as to convince him that he has abandoned the principles which were objectionable in his predecessors, and that he shall be actuated by a more moderate system." I ask you, Sir, if this is likely to be ascertained in war? It is the nature of war not to allay but to inflame the passions; and it is not by the invective and abuse which have been thrown upon him and his government, nor by the continued irritations which war is sure to give, that the virtues of moderation and forbearance are to be nourished.

2. "If, contrary to the expectations of ministers, the people of France shall shew a disposition to acquiesce in the government of Bonaparte." Does the right honourable gentleman mean to say, that because it is an usurpation on the part of the present chief, therefore the people are not likely to acquiesce in it? I have not time, Sir, to discuss the question of this usurpation, or whether it is likely to be permanent; but I certainly have not so good an opinion of the French, or of any people, as to believe that it will be short-lived, merely because it was an usurpation, and because it is a system of military despotism. Cromwell was a usurper; and in many points there may be found a resemblance between him and the present Chief Consul of France. There is no doubt but that, on several occasions of his life, Cromwell's sincerity may be questioned, particularly in his self-denying ordinance — in his affected piety, and other things; but would it not have been insanity in France and Spain to refuse to treat with him, because he was a usurper? No, Sir, these are not the maxims by which governments are actuated. They do not inquire so much into the means by which power may have been acquired, as into the fact of where the power resides.

The people did acquiesce in the government of Cromwell: but it may be said, that the splendour of his talents, the vigour of his administration, the high tone with which he spoke to foreign nations, the success of his arms, and the character which he gave to the English name, induced the nation to acquiesce in his usurpation; and that we must not try Bonaparte by this example. Will it be said that Bonaparte is not a man of great abilities? Will it be said that he has not, by his victories, thrown a splendour over even the violence of the Revolution, and that he does not conciliate the French people by the high and lofty tone in which he speaks to foreigns nations? Are not the French, then, as likely, as the English in the case of Cromwell, to acquiesce in his government? If they should do so, the right honourable gentleman may find that this possible predicament may fail him. He may find, that though one power may make war, it requires two to make peace. He may find that Bonaparte was as insincere as himself, in the proposition which he made: and in his turn he may come forward and say — "I have no occasion now for concealment. It is true, that in the beginning of the year 1800, I offered to treat, not because I wished for peace, but because the people of France wished for it; and besides, my old resources being exhausted, and there being no means of carrying on the war without a 'new and solid system of finance,' I pretended to treat, because I wished to procure the unanimous assent of the French people to this new and solid system. Did you think I was in earnest? You were deceived. I now throw off the mask: I have gained my point; and I reject your offers with scorn." Is it not a very possible case that he may use this language? Is it not within the right honourable gentleman's "knowledge of human nature?" But even if this should not be the case, will not the very test which you require — the acquiescence of the people of France in his government — give him an advantage-ground in the negociation which he does not possess now? Is it quite sure, that when he finds himself safe in his seat, he will treat on the same terms as now, and that you will get a better peace some time hence, than you might reasonably hope to obtain at this moment? Will he not have one interest less than at present? And do you not overlook a favourable occasion, for a chance which is extremely doubtful? These are the considerations which I would urge to his majesty's ministers, against the dangerous experiment of waiting for the acquiescence of the people of France.

3. "If the allies of this country shall be less successful than they have every reason to expect they will be, in stirring up

the people of France against Bonaparte, and in the farther prosecution of the war." And,

4. "If the pressure of the war should be heavier upon us, than it would be convenient for us to continue to bear." These are the other two possible emergencies in which the right honourable gentlemen would treat even with Bonaparte. Sir, I have often blamed the right honourable gentlemen for being disingenuous and insincere. On the present occasion I certainly cannot charge him with any such thing. He has made to-night a most honest confession. He is open and candid. He tells Bonaparte fairly what he has to expect. "I mean," says he, "to do every thing in my power to raise up the people of France against you. I have engaged a number of allies, and our combined efforts shall be used to excite insurrection and civil war in France. I will strive to murder you, or to get you sent away. If I succeed, well; but if I fail, then I will treat with you. My resources being exhausted; even my solid system of finance having failed to supply me with the means of keeping together my allies, and of feeding the discontents I have excited in France, then you may expect to see me renounce my high tone, my attachment to the house of Bourbon, my abhorrence of your crimes, my alarm at your principles; for then I shall be ready to own, that, on the balance and comparison of circumstances, there will be less danger in concluding a peace, than in the continuance of war!" Is this a language for one state to hold to another? And what sort of peace does the right honourable gentleman expect to receive in that case? Does he think that Bonaparte would grant, to baffled insolence, to humiliated pride, to disappointment and to imbecility, the same terms which he would be ready to give now? The right honourable gentleman cannot have forgotten what he said on another occasion,

——"Potuit quæ plurima virtus
"Esse, fuit: toto certatum est corpore regni."

He would then have to repeat his words, but with a different application — He would have to say — all our efforts are vain — we have exhausted our strength — our designs are impracticable — and we must sue to you for peace.

Sir, what is the question this night? We are called upon to support ministers in refusing a frank, candid, and respectful offer of negociation, and to countenance them in continuing the war. Now, I would put the question in another way. Suppose ministers had been inclined to adopt the line of conduct which they pursued in 1796 and 1797, and that to-night, instead of a question on a war-address, it had been

an address to his majesty, to thank him for accepting the overture, and for opening a negociation to treat for peace: I ask the gentlemen opposite — I appeal to the whole 558 representatives of the people — to lay their hands upon their hearts, and to say, whether they would not have cordially voted for such an address? Would they, or would they not? Yes, Sir, if the address had breathed a spirit of peace, your benches would have resounded with rejoicings, and with praises of a measure that was likely to bring back the blessings of tranquillity. On the present occasion, then, I ask for the vote of none, but of those who, in the secret confession of their conscience, admit, at this instant, while they hear me, that they would have cheerfully and heartily voted with the minister for an address directly the reverse of this. If every such gentleman were to vote with me, I should be this night in the greatest majority that ever I had the honour to vote with in this House.

Sir, we have heard to-night a great many most acrimonious invectives against Bonaparte, against the whole course of his conduct, and against the unprincipled manner in which he seized upon the reins of government. I will not make his defence — I think all this sort of invective, which is used only to inflame the passions of this House and of the country, exceedingly ill-timed, and very impolitic — but I say I will not make his defence. I am not sufficiently in possession of materials upon which to form an opinion on the character and conduct of this extraordinary man. Upon his arrival in France, he found the government in a very unsettled state, and the whole affairs of the republic deranged, crippled, and involved. He thought it necessary to reform the government; and he did reform it, just in the way in which a military man may be expected to carry on a reform — he seized on the whole authority to himself. It will not be expected from me, that I should either approve or apologize for such an act. I am certainly not for reforming governments by such expedients; but how this House can be so violently indignant at the idea of military despotism, is, I own, a little singular, when I see the composure with which they can observe it nearer home; nay, when I see them regard it as a frame of government most peculiarly suited to the exercise of free opinion, on a subject the most important of any that can engage the attention of a people. Was it not the system that was so happily and so advantageously established, of late, all over Ireland; and which, even now, the government may, at its pleasure, proclaim over the whole of that kingdom? Are not the persons and property of the people left, in many districts, at this moment, to the entire

will of military commanders? And is not this held out as peculiarly proper and advantageous, at a time when the people of Ireland are freely, and with unbiassed judgments, to discuss the most interesting question of a legislative union? Notwithstanding the existence of martial law, so far do we think Ireland from being enslaved, that we think it precisely the period and the circumstances under which she may best declare her free opinion! Now, really, Sir, I cannot think that gentlemen, who talk in this way about Ireland, can, with a good grace, rail at military despotism in France.

But, it seems, "Bonaparte has broken his oaths. He has violated his oath of fidelity to the constitution of the year 3." Sir, I am not one of those who think that any such oaths ought ever to be exacted. They are seldom or ever of any effect; and I am not for sporting with a thing so sacred as an oath. I think it would be good to lay aside all such oaths. Who ever heard, that, in revolutions, the oath of fidelity to the former government was ever regarded; or, even when violated, that it was imputed to the persons as a crime? In times of revolution, men who take up arms are called rebels — If they fail, they are adjudged to be traitors. But who ever heard before, of their being perjured? On the restoration of Charles II., those who had taken up arms for the commonwealth, were stigmatized as rebels and traitors, but not as men foresworn. Was the Earl of Devonshire charged with being perjured, on account of the allegiance he had sworn to the house of Stuart, and the part he took in those struggles which preceded and brought about the Revolution? The violation of oaths of allegiance was never imputed to the people of England, and will never be imputed to any people. But who brings up the question of oaths? He who strives to make twenty-four millions of persons violate the oaths they have taken to their present constitution, and who desires to re-establish the house of Bourbon by such violation of their vows. I put it so, Sir; because, if the question of oaths be of the least consequence, it is equal on both sides. He who desires the whole people of France to perjure themselves, and who hopes for success in his project only upon their doing so, surely cannot make it a charge against Bonaparte that he has done the same.

"Ah! but Bonaparte has declared it as his opinion, that the two governments of Great Britain and of France cannot exist together. After the treaty of Campo Formio, he sent two confidential persons, Berthier and Monge, to the directory, to say so in his name." Well, and what is there in this absurd and puerile assertion, if it was ever made? Has not the right honourable gentleman, in this House, said the same

thing? In this, at least, they resemble one another. They have both made use of this assertion; and I believe, that these two illustrious persons are the only two on earth who think it. But let us turn the tables. We ought to put ourselves at times in the place of the enemy, if we are desirous of really examining with candour and fairness the dispute between us. How may they not interpret the speeches of ministers and their friends, in both Houses of the British parliament? If we are to be told of the idle speech of Berthier and Monge, may they not also bring up speeches, in which it has not been merely hinted, but broadly asserted, that "the two constitutions of England and France could not exist together?" May not these offences and charges be reciprocated without end? Are we ever to go on in this miserable squabble about words? Are we still, as we happen to be successful on the one side or other, to bring up these impotent accusations, insults, and provocations, against each other; and only when we are beaten and unfortunate to think of treating? Oh! pity the condition of man, gracious God! and save us from such a system of malevolence, in which all our old and venerated prejudices are to be done away, and by which we are to be taught to consider war as the natural state of man, and peace but as a dangerous and difficult extremity!

Sir, this temper must be corrected. It is a diabolical spirit, and would lead to interminable war. Our history is full of instances, that where we have overlooked a proffered occasion to treat, we have uniformly suffered by delay. At what time did we ever profit by obstinately persevering in war? We accepted at Ryswick the terms we had refused five years before, and the same peace which was concluded at Utrecht might have been obtained at Gertruydenberg. And as to security from the future machinations or ambition of the French, I ask you, what security you ever had, or could have? Did the different treaties made with Louis XIV. serve to tie up his hands, to restrain his ambition, or to stifle his restless spirit? At what period could you safely repose in the honour, forbearance, and moderation of the French government? Was there ever an idea of refusing to treat, because the peace might be afterwards insecure? The peace of 1763 was not accompanied with securities; and it was no sooner made, than the French court began, as usual, its intrigues. And what security did the right honourable gentleman exact at the peace of 1783, in which he was engaged? Were we rendered secure by that peace? The right honourable gentleman knows well, that soon after that peace, the French formed a plan, in conjunction with the Dutch,

of attacking our India possessions, of raising up the native powers against us, and of driving us out of India; as the French are desirous of doing now — only with this difference, that the cabinet of France entered into this project in a moment of profound peace, and when they conceived us to be lulled into perfect security. After making the peace of 1783, the right honourable gentleman and his friends went out, and I, among others, came into office. Suppose, Sir, that we had taken up the jealousy upon which the right honourable gentleman now acts, and had refused to ratify the peace which he had made. Suppose that we had said — No; France is acting a perfidious part — we see no security for England in this treaty — they want only a respite, in order to attack us again in an important part of our dominions; and we ought not to confirm the treaty. I ask, would the right honourable gentleman have supported us in this refusal? I say, that upon his present reasoning he ought; but I put it fairly to him, would he have supported us in refusing to ratify the treaty upon such a pretence? He certainly ought not, and I am sure he would not; but the course of reasoning which he now assumes would have justified his taking such a ground. On the contrary, I am persuaded that he would have said — "This is a refinement upon jealousy. Security! You have security, the only security that you can ever expect to get. It is the present interest of France to make peace. She will keep it if it be her interest: she will break it if it be her interest: such is the state of nations; and you have nothing but your own vigilance for your security."

"It is not the interest of Bonaparte," it seems, "sincerely to enter into a negociation, or, if he should even make peace, sincerely to keep it." But how are we to decide upon his sincerity? By refusing to treat with him? Surely, if we mean to discover his sincerity, we ought to hear the propositions which he desires to make. "But peace would be unfriendly to his system of military despotism." Sir, I hear a great deal about the short-lived nature of military despotism. I wish the history of the world would bear gentlemen out in this description of military despotism. Was not the government erected by Augustus Cæsar a military despotism? And yet it endured for six or seven hundred years. Military despotism, unfortunately, is too likely in its nature to be permanent, and it is not true that it depends on the life of the first usurper. Though half the Roman emperors were murdered, yet the military despotism went on; and so it would be, I fear, in France. If Bonaparte should disappear from the scene, to make room, perhaps, for a Berthier, or any other general, what difference would that make in the quality of

French despotism, or in our relation to the country? We may as safely treat with a Bonaparte, or with any of his successors, be they who they may, as we could with a Louis XVI., a Louis XVII., or a Louis XVIII. There is no difference but in the name. Where the power essentially resides, thither we ought to go for peace.

But, Sir, if we are to reason on the fact, I should think that it is the interest of Bonaparte to make peace. A lover of military glory, as that general must necessarily be, may he not think that his measure of glory is full — that it may be tarnished by a reverse of fortune, and can hardly be increased by any new laurels? He must feel, that, in the situation to which he is now raised, he can no longer depend on his own fortune, his own genius, and his own talents, for a continuance of his success; he must be under the necessity of employing other generals, whose misconduct or incapacity might endanger his power, or whose triumphs even might affect the interest which he holds in the opinion of the French. Peace, then, would secure to him what he has achieved, and fix the inconstancy of fortune. But this will not be his only motive. He must see that France also requires a respite — a breathing interval, to recruit her wasted strength. To procure her this respite, would be, perhaps, the attainment of more solid glory, as well as the means of acquiring more solid power, than any thing which he can hope to gain from arms, and from the proudest triumphs. May he not then be zealous to gain this fame, the only species of fame, perhaps, that is worth acquiring? Nay, granting that his soul may still burn with the thirst of military exploits, is it not likely that he is disposed to yield to the feelings of the French people, and to consolidate his power by consulting their interests? I have a right to argue in this way, when suppositions of his insincerity are reasoned upon on the other side. Sir, these aspersions are in truth always idle, and even mischievous. I have been too long accustomed to hear imputations and calumnies thrown out upon great and honourable characters, to be much influenced by them. My honourable and learned friend (Mr. Erskine) has paid this night a most just, deserved, and honourable tribute of applause, to the memory of that great and unparalleled character, who has been so recently lost to the world. I must, like him, beg leave to dwell a moment on the venerable George Washington, though I know that it is impossible for me to bestow any thing like adequate praise on a character which gave us, more than any other human being, the example of a perfect man; yet, good, great, and unexampled as General Washington was, I can remember the time when he was not

better spoken of in this House than Bonaparte is now. The right honourable gentleman who opened this debate (Mr. Dundas) may remember in what terms of disdain, of virulence, and even of contempt, General Washington was spoken of by gentlemen on that side of the House. Does he not recollect with what marks of indignation any member was stigmatized as an enemy to his country, who mentioned with common respect the name of General Washington? If a negociation had then been proposed to be opened with that great man, what would have been said? "Would you treat with a rebel, a traitor! What an example would you not give by such an act!" I do not know whether the right honourable gentleman may not yet possess some of his old prejudices on the subject. I hope not. I hope by this time we are all convinced that a republican government, like that of America, may exist without danger or injury to social order, or to established monarchies. They have happily shewn that they can maintain the relations of peace and amity with other states: they have shewn, too, that they are alive to the feelings of honour; but they do not lose sight of plain good sense and discretion. They have not refused to negociate with the French, and they have accordingly the hopes of a speedy termination of every difference. We cry up their conduct, but we do not imitate it. At the beginning of the struggle, we were told, that the French were setting up a set of wild and impracticable theories, and that we ought not to be misled by them—we could not grapple with theories. Now we are told that we must not treat, because, out of the lottery, Bonaparte has drawn such a prize as military despotism. Is military despotism a theory? One would think that that is one of the practical things which ministers might understand, and to which they would have no particular objection. But what is our present conduct founded on but a theory, and that a most wild and ridiculous theory? What are we fighting for? Not for a principle; not for security; not for conquest even; but merely for an experiment and a speculation, to discover whether a gentleman at Paris may not turn out a better man than we now take him to be.

My honourable friend (Mr. Whitbread) has been censured for an opinion which he gave, and I think justly, that the change of property in France since the Revolution must form an almost insurmountable barrier to the return of the antient proprietors. "No such thing," says the right honourable gentleman; "nothing can be more easy. Property is depreciated to such a degree, that the purchasers would easily be brought to restore the estates." I very much differ with him

in this idea. It is the character of every such convulsion as that which has ravaged France, that an infinite and indescribable load of misery is inflicted upon private families. The heart sickens at the recital of the sorrows which it engenders. No revolution implied, though it may have occasioned, a total change of property. The restoration of the Bourbons does imply it; and there is the difference. There is no doubt but that if the noble families had foreseen the duration and the extent of the evils which were to fall upon their heads, they would have taken a very different line of conduct. But they unfortunately flew from their country. The king and his advisers sought foreign aid. A confederacy was formed to restore them by military force; and as a means of resisting this combination, the estates of the fugitives were confiscated and sold. However compassion may deplore the case, it cannot be said that the thing is unprecedented. The people have always resorted to such means of defence. Now the question is, how this property is to be got out of their hands? If it be true, as I have heard, that the purchasers of national and forfeited estates amount to 1,500,000 persons, I see no hopes of their being forced to deliver up their property; nor do I even know that they ought. I question the policy, even if the thing were practicable; but I assert, that such a body of new proprietors forms an insurmountable barrier to the restoration of the antient order of things. Never was a revolution consolidated by a pledge so strong.

But, as if this were not of itself sufficient, Louis XVIII. from his retirement at Mittau puts forth a manifesto, in which he assures the friends of his house, that he is about to come back with all the powers that formerly belonged to his family. He does not promise to the people a constitution which may tend to conciliate; but, stating that he is to come with all the *ancien régime*, they would naturally attach to it its proper appendages of bastiles, lettres de cachet, gabelle, &c. And the noblesse, for whom this proclamation was peculiarly conceived, would also naturally feel, that if the monarch was to be restored to all his privileges, they surely were to be reinstated in their estates without a compensation to the purchasers. Is this likely to make the people wish for the restoration of royalty? I have no doubt but there may be a number of Chouans in France, though I am persuaded that little dependence is to be placed on their efforts. There may be a number of people dispersed over France, and particularly in certain provinces, who may retain a degree of attachment to royalty: and how the government will contrive to compromise with that spirit, I know not. I suspect, however, that Bonaparte will try: his efforts have been turned to

that object; and, if we may believe report, he has succeeded to a considerable degree. He will naturally call to his recollection the precedent which the history of France itself will furnish. The once formidable insurrection of the Hugonots was completely stifled, and the party conciliated, by the policy of Henry IV., who gave them such privileges and raised them so high in the government, as to make some persons apprehend danger therefrom to the unity of the empire. Nor will the French be likely to forget the revocation of the edict — one of the memorable acts of the house of Bourbon — an act which was never surpassed in atrocity, injustice, and impolicy, by any thing that has disgraced jacobinism. If Bonaparte shall attempt some similar arrangement to that of Henry IV. with the Chouans, who will say that he is likely to fail? He will meet with no great obstacle to success from the influence which our ministers have established with the chiefs, or in the attachment and dependence which they have on our protection; for what has the right honourable gentleman told him, in stating the contingencies in which he will treat with Bonaparte? He will excite a rebellion in France — he will give support to the Chouans, if they can stand their ground; but he will not make common cause with them: for unless they can depose Bonaparte, send him into banishment, or execute him, he will abandon the Chouans, and treat with this very man, whom, at the same time, he describes as holding the reins and wielding the powers of France for purposes of unexampled barbarity.

Sir, I wish the atrocities of which we hear so much, and which I abhor as much as any man, were, indeed, unexampled. I fear that they do not belong exclusively to the French. When the right honourable gentleman speaks of the extraordinary successes of the last campaign, he does not mention the horrors by which some of those successes were accompanied. Naples, for instance, has been, among others, what is called "delivered;" and yet, if I am rightly informed, it has been stained and polluted by murders so ferocious, and by cruelties of every kind so abhorrent, that the heart shudders at the recital. It has been said, not only that the miserable victims of the rage and brutality of the fanatics were savagely murdered, but that, in many instances, their flesh was eaten and devoured by the cannibals, who are the advocates and the instruments of social order! Nay, England is not totally excempt from reproach, if the rumours which are circulated be true. I will mention a fact, to give ministers the opportunity, if it be false, of wiping away the stain that it must otherwise fix on the British name. It is said, that a party of the republican inhabitants of Naples took shelter in the fortress of the Castel de

Uova. They were besieged by a detachment from the royal army, to whom they refused to surrender; but demanded that a British officer should be brought forward, and to him they capitulated. They made terms with him under the sanction of the British name. It was agreed, that their persons and property should be safe, and that they should be conveyed to Toulon. They were accordingly put on board a vessel; but before they sailed, their property was confiscated, numbers of them taken out, thrown into dungeons, and some of them, I understand, notwithstanding the British guarantee, actually executed.

Where then, Sir, is this war, which on every side is pregnant with such horrors, to be carried? Where is it to stop? Not till you establish the house of Bourbon! And this you cherish the hope of doing, because you have had a successful campaign. Why, Sir, before this you have had a successful campaign. The situation of the allies, with all they have gained, is surely not to be compared now to what it was when you had taken Valenciennes, Quesnoy, Condé, &c. which induced some gentlemen in this House to prepare themselves for a march to Paris. With all that you have gained, you surely will not say that the prospect is brighter now than it was then. What have you gained but the recovery of a part of what you before lost? One campaign is successful to you — another to them; and in this way, animated by the vindictive passions of revenge, hatred, and rancour, which are infinitely more flagitious, even, than those of ambition and the thirst of power, you may go on for ever; as, with such black incentives, I see no end to human misery. And all this without an intelligible motive — all this because you may gain a better peace a year or two hence! So that we are called upon to go on merely as a speculation — We must keep Bonaparte for some time longer at war, as a state of probation. Gracious God, Sir! is war a state of probation? Is peace a rash system? Is it dangerous for nations to live in amity with each other? Is your vigilance, your policy, your common powers of observation, to be extinguished by putting an end to the horrors of war? Cannot this state of probation be as well undergone without adding to the catalogue of human sufferings? "But we must *pause!*" What! must the bowels of Great Britain be torn out—her best blood be spilt—her treasure wasted—that you may make an experiment? Put yourselves—oh! that you would put yourselves—in the field of battle, and learn to judge of the sort of horrors that you excite. In former wars a man might, at least, have some feeling, some interest, that served to balance in his mind the impressions which a scene of carnage and of death must inflict. If a man had been present at the battle of Blenheim,

for instance, and had inquired the motive of the battle, there was not a soldier engaged who could not have satisfied his curiosity, and even, perhaps, allayed his feelings — they were fighting to repress the uncontrouled ambition of the grand monarque. But, if a man were present now at a field of slaughter, and were to inquire for what they were fighting — "Fighting!" would be the answer; "they are not fighting, they are *pausing*." "Why is that man expiring? Why is that other writhing with agony? What means this implacable fury?" The answer must be, "You are quite wrong, Sir, you deceive yourself — They are not fighting — Do not disturb them — they are merely *pausing!* — this man is not expiring with agony — that man is not dead — he is only pausing! Lord help you, Sir! they are not angry with one another; they have now no cause of quarrel — but their country thinks that there should be a pause. All that you see, Sir, is nothing like fighting — there is no harm, nor cruelty, nor bloodshed in it whatever — it is nothing more than *a political pause!* — it is merely to try an experiment — to see whether Bonaparte will not behave himself better than heretofore; and in the mean time we have agreed to a pause, in pure friendship!" And is this the way, Sir, that you are to shew yourselves the advocates of order? You take up a system calculated to uncivilize the world, to detroy order, to trample on religion, to stifle in the heart, not merely the generosity of noble sentiment, but the affections of social nature; and in the prosecution of this system, you spread terror and devastation all around you.

Sir, I have done. I have told you my opinion. I think you ought to have given a civil, clear, and explicit answer to the overture which was fairly and handsomely made you. If you were desirous that the negociation should have included all your allies, as the means of bringing about a general peace, you should have told Bonaparte so; but I believe you were afraid of his agreeing to the proposal. You took that method before. "Aye, but," you say, "the people were anxious for peace in 1797." I say they are friends to peace now; and I am confident that you will one day own it. Believe me, they are friends to peace; although, by the laws which you have made, restraining the expression of the sense of the people, public opinion cannot now be heard as loudly and unequivocally as heretofore. But I will not go into the internal state of this country. It is too afflicting to the heart to see the strides which have been made, by means of, and under the miserable pretext of this war, against liberty of every kind, both of speech and of writing; and to observe in another kingdom the rapid approaches to that military despotism which we af-

fect to make an argument against peace. I know, Sir, that public opinion, if it could be collected, would be for peace, as much now as in 1797, and I know that it is only by public opinion—not by a sense of their duty—not by the inclination of their minds—that ministers will be brought, if ever, to give us peace. I conclude, Sir, with repeating what I said before: I ask for no gentleman's vote who would have reprobated the compliance of ministers with the proposition of the French government; I ask for no gentleman's support to-night who would have voted against ministers, if they had come down and proposed to enter into a negociation with the French: but I have a right to ask—I know, that in honour, in consistency, in conscience, I have a right to expect, the vote of every gentleman who would have voted with ministers in an address to his majesty, diametrically opposite to the motion of this night.

The House divided on the address:

	Tellers.			*Tellers.*	
YEAS	Ld. Hawkesbury, Mr. Canning	265.	NOES	Mr. Whitbread, Mr. Sheridan	64

MR. GREY'S MOTION ON THE STATE OF THE NATION.

March 25. 1801.*

THIS day Mr. Grey moved, "That the House will resolve itself into a committee to take into consideration the state of the nation." The motion was seconded by Mr. Whitbread, and supported by Earl Temple, Sir William Young, and Mr. Fox. It was opposed by Mr. May, Mr. Pitt, Mr. Addington, the new chancellor of the exchequer, and Mr. Dundas. As soon as Mr. Pitt had concluded his speech,

* On the 14th of March 1801, Mr. Pitt resigned the offices of first lord of the treasury and chancellor of the exchequer; upon which a complete change of administration took place. The New Administration consisted of,

First Lord of the Treasury, and Chancellor of the Exchequer—Right Hon. Henry Addington.
President of the Council—Duke of Portland.
Lord Chancellor—Lord Eldon.
Lord Privy Seal—Earl of Westmoreland.
First Lord of the Admiralty—Earl St. Vincent.
Master-General of the Ordnance—Earl of Chatham.
Secretary of State for the Home Department—Lord Pelham.

Mr. Fox rose and spoke as follows: — Sir, late as the hour is, I shall beg leave, even under the designation of "a new member," by which the right honourable gentleman (Mr Pitt) has complimented me, to avail myself of the indulgence which the House usually shews to a person of that description; and, unwilling as I am to trespass long upon your attention, it will be difficult to dismiss very shortly the whole of the arguments that apply to the question before the House; especially after the confused state in which the right honourable gentleman's speech has left the real matters at issue, and that laborious complication which renders it not an easy task to methodize a reply, or put one's argument into plain and distinct order. First, I shall take the liberty of adverting to that part of the right honourable gentleman's speech (certainly not the most solid or splendid part of it) which relates personally to myself; and of which the introduction, upon the present occasion, is a decisive proof how bereft of real defence the right honourable gentleman must feel himself, when he is driven to the expedient of reviving a circumstance which has but little analogy to the point before you; and which, when explained and understood, will lend not the least sanction or support to the system of his majesty's late ministers, respecting the question between this country and the northern powers.

I certainly did, in my capacity of secretary of state, offer, by his majesty's command, to the Empress of Russia, in the year 1782, the recognition of the principle in question, for the purpose of inducing that princess to enter into a closer alliance with this country. In rejecting the insinuation, of

---

Secretary of State for Foreign Affairs — Lord Hawkesbury.
Ditto for the Department of War and the Colonies — Lord Hobart.
President of the Board of Controul for the Affairs of India — Lord Viscount Lewisham.
Secretary at War — Right Hon. Charles Yorke.
Chancellor of the Duchy of Lancaster — Earl of Liverpool.
Treasurer of the Navy — Right Hon. Dudley Ryder (afterwards Lord Harrowby).
Joint Paymaster of his Majesty's Forces — Right Hon. Thomas Steele, Lord Glenbervie.
Joint Postmaster-General — Lord Auckland, Lord Charles Spencer.
Secretaries of the Treasury — John Hiley Addirgton Esq. Nicholas Vansittart, Esq.
Master of the Rolls — Sir William Grant.
Attorney-General — Sir Edward Law (afterwards Lord Ellenborough).
Solicitor-General — Hon. Spencer Perceval.
Lord Lieutenant — Earl of Hardwicke.
Lord Chancellor — Earl of Clare.
Chief Secretary — Lord Castlereagh.
Chancellor of Exchequer — Right Hon. Isaac Corry.
} of Ireland.

this proposal being my sole act, let me not be understood to shrink from that measure as "rash and inconsiderate:" on the contrary, I affirm that it was most wise, timely, and judicious; but, for the sake of truth, let it be remembered, that the measure which it fell officially to my lot to propose to the court of Russia, at the time alluded to, was of course the measure of the king's whole council; which council consisted of some of the greatest names in the country, such as the Marquis of Rockingham, Lord John Cavendish, the Duke of Richmond, the Marquis of Lansdowne, Lord Keppel, &c. &c. It was, in a word, the act of an administration which has been the least censured, and the most praised, of any that have existed during the king's reign.

The right honourable gentleman challenges any person to discuss the question with the neutral powers, as "a statesman or a lawyer." Now, though I can venture to touch the matter only in the first of these characters, I can assure the House that the concession, whatever it was, of the ministry, which I offered as our joint act to the Empress of Russia in the year 1782, had the concurrence of as great lawyers as ever distinguished this country at any one period: for whatever may have been the other defects of that short administration, in it there certainly was no want of eminent lawyers. No less than three of the luminaries of that profession, namely, Lords Ashburton, Camden, and Thurlow, were members of that cabinet; and far enough from thinking that the offer then made to the Russian court, "laid at the feet of that government all the sources of the naval greatness of this country," to repeat the rant of the right honourable gentleman, these learned and noble persons, together with the whole body of that administration, were profoundly convinced, not that what we offered was slight and trifling, but that, important as it was, it would have been highly to the advantage of this country that our proposal had been adopted by the government of Russia.

In making this offer, I was so far from being mysterious,—so little apprehension did we feel that our proposition to Russia would involve our country in any of the perils from other powers which the fatuity of the right honourable gentleman's ministry has brought upon it, that, instead of sending through the more usual channel of our ambassador at that court, who, if I mistake not, was Lord Malmesbury, I applied here directly to M. Simolin, the Russian minister at this court, and with him endeavoured to accomplish the negociation. To him I offered a *quid pro quo*; and meant to give nothing without getting a full equivalent. I wished to separate Russia entirely from any connections injurious to Great Britain, and to attach that power solidly and permanently to this country.

The right honourable gentleman has dwelt with some satisfaction upon the expressions of my letter to M. Simolin. He has the advantage over me, of having lately read that letter in the office, and seems, strangely enough, to think that he derives some pretext for his own policy, in my description of the magnitude of our proposed concessions in 1782. Why, what would the right honourable gentleman, or any other man, think of me, if I wrote otherwise than he states me to have written upon that occasion? If he were negociating with France about the surrender of Belgium, the retention of which he had so lately made a *sine quâ non*, would he begin by understating the extent, fertility, and population of those provinces? I, of course, did not begin by depreciating to the government of Russia the very boon I was tendering as an inducement to a great and beneficial alliance.

The right honourable gentleman rejoices in the failure of that negociation, in as much as its success would have enabled Russia to protect the commerce of France, and been the means of preventing this country from annihilating it, in the present war. What! Russia assist the commerce of France? Russia! the loudest in thundering its maledictions against the French Revolution — the first to profess its zeal in the crusade? — the very power who formally waved this neutral principle, declaring that all general principles should yield to the superior object of overthrowing "regicide republicanism," and every thing else with which the royal coalition had stigmatised the French in this war? As to the destruction of the French trade, is it certain that all the efforts of all the combined powers, or any possible effect arising from the most successful assertion of what the government of England is now contending for, have hurt the commerce of France so much as its own disorganizations of all kinds upon that subject since the period of the Revolution? I believe not. Besides, do you set down for nothing the captures made by your own fleets? In a word, the right honourable gentleman will find nothing in the measure, to which he has alluded with so ludicrous a triumph, to countenance the system he has pursued towards the northern powers — to the consideration of which I shall now proceed, having said this much in relation to what the right honourable gentleman has directed so personally at myself.

The question with the northern powers has been divided by the right honourable gentleman into five parts. These five I shall reduce into three; namely, Free bottoms making free goods — The contraband of war — The right of search under convoy. These three heads (comprehending the collateral and dependent questions of blockade, and the carrying of the coasting and colonial trade of belligerents, by abuse of the first and third poposition,) form the essence of the present

dispute with the northern powers, and which, in common acceptation, is called "the neutral principle."

Whether this neutral principle be jacobinical or not, its origin is certainly of more antiquity than the French Revolution, being as old as the middle of the last century, and having for its patron and propounder no less a republican than Frederick the Great. That prince was undoubtedly a philosopher, and by some deemed not quite orthodox in his theology. This neutral principle might therefore with as much reason be called deistical as jacobinical; and if the right honourable gentleman had now been in as high favour with the church as in past times, possibly he might get this point, for which the powers of the north are contending, branded with some such epithet by ecclesiastical authority; in the same manner as, towards the end of the seventeenth century, the university of Oxford declared, that the principles which led to the assertion and conservation of the British constitution, and which seated the present royal family upon the throne of England, were "doctrines tending to atheism." The one imputation is as just as the other; and jacobinism applies with exactly as much truth to the neutral question, as atheism to the principles of the English Revolution. In reality, Sir, the right honourable gentleman's indiscriminate cry of Jacobin! jacobin! to every thing and person that he dislikes, has brought utter contempt upon his continual cant. He has worn it out: and all the terrors he would conjure up from it are become an absolute bugbear. With far more grace and likelihood might this term "jacobin" be retorted upon himself, and several indeed of his own measures, — of which one of the most recent might, perhaps, in the judgment of many, (though I am not disposed so to describe it,) be considered as strictly such: I mean the right honourable gentleman's late communication to the catholics of Ireland, upon the event of his resignation.

The next assertor of this neutral question was that implacable zealot in jacobinical faith, that virulent propagator of revolutionary doctrines, the late Empress of Russia; who, in the year 1780 and 1781, entered, with all the other northern powers, into a confederacy, differing, I apprehend, in nothing from that which the right honourable gentleman has stigmatised so copiously this night; except, as I understand, by some additional precautions in the recent league. Now, would any body believe that this right honourable gentleman, in his capacity of cabinet-minister, should, in less than two years after that confederacy was formed, avail himself of the mediation of those very powers between this country and its enemies and that preliminaries of peace (negociated by an

administration of which he himself was a part) should be actually signed under the auspices of that very Empress of Russia, the grand authoress of what he now calls "jacobinical revolutionary principles, violative of treaties, subversive of the law of nations, starting a code of new and monstrous maxims," and all the other strong abuse which, in the prodigality of his invectives, he has passed upon this new alliance — a mere fac-simile of the old? and, after all, what does this prove, but that the right honourable gentleman's obloquies now are of just as much value as his encomiums last year upon the "magnanimity" of some of these very powers, — both the one and the other being mere noise, and signifying nothing? However, Sir, regarding the first formation of this confederacy in the year 1780 and 1781, the right honourable gentleman says, that this court, though too weak to resist it by force, never admitted the principle of that confederacy; and that Lord Stormont protested against it.

Here let me remark, that the opposition of that day, like this of the present, had their cant reproaches vented by the supporters of the one administration as well as the other. How could we be always right, they said, who always opposed the right and the wrong?—or if we concurred, then it was "a fit of candour." The truth, Sir, is, that neither did we then, nor do we now complain, but from a full conviction that we had just cause. Even the right honourable gentleman has had our votes when we conscientiously felt that we could agree with him; and, notwithstanding all the heat of party at the period of the American war alluded to, not a breath of blame did we throw upon the ministers of those days for their discreet and measured conduct respecting the confederacy at that period formed by the neutral powers. In that "fit of candour," if such it was, the right honourable gentleman himself was with us; but he is now quite sure that what he then thought good sense and good management was owing to weakness. In nothing were the right honourable gentleman and myself more of one mind, than in general censure of that administration: against their conduct, in this case, however, we murmured not one word; for, without conceding any necessary point, we thought their discretion, in that instance, saved this country from a war with the northern powers; and our naval history since that period, vouches that their caution did not sacrifice the sources of our maritime greatness. That government did not revolt the feelings of Europe by sending its fleets to a feeble power, to carry by force what it might obtain by argument; nor did it follow the example of capricious despotism, in laying embargoes upon Danish and Swedish property in British ports. These improvements in diplomacy,

these encouragements to commerce, were reserved for the right honourable gentleman.

Now, with regard to the first of the three branches into which I have divided the heads of my argument, I have no hesitation in saying, that, as a general proposition, "free bottoms do not make free goods;" and that, as an axiom, it is supported neither by the law of nations nor of common sense. The law of nations is but a body of regulations founded upon equal justice, and applying equally to all nations, for the common interest of all. If a state of war did not involve its own inconveniencies, the temptations to war would be endless, and might keep nations in perpetual misery. It is, therefore, for the general advantage, that belligerents should feel the injuries of abridged and restricted trade, because it is an inducement to peace; and if, on the other hand, the commerce of a power at war, as well as the materials of offence, could be legally carried on by a neutral, the benefit of maritime preponderance would be wholly lost — a thing as much at variance with common sense, as it would be repugnant to reason, that mere naval superiority should despise every rule of relative justice, and by bare-faced power, make its own will the law of the ocean.

The only difficulty would be, which to condemn as most monstrous, a neutral, pretending to the right of supplying one belligerent with all the means of mischief to another; or a belligerent, insisting upon a universal right of search in all cases, and making innocent commerce the sport of its whim, in express contempt of specific regulation. It is between these extremes that the general interest of the commonwealth of nations finds the true medium; as the numberless treaties between the different states of Europe sufficiently demonstrate. From these treaties the most general inference is for the general freedom of commerce; but every one of them contains exceptions to, and qualifications of, this principle; which, though general, is not universal. So much with regard to free bottoms making free goods: which, however, is not the question at issue between this court and the neutral powers; because, if it were, it would exclude all consideration of the two other heads of this discussion; namely, "the contraband of war," (a point not disputed, as I understand, by the northern powers,) and "the right of search," which, under certain limitations, is expressly recognized.

The contraband of war is the mere creature of convention; the very articles which are declared contraband with one power being innocent commerce with another. This point, thus varying and contradictory, the right honourable gentleman would reduce into something wonderfully simple.

Instead of resting it upon the specific text of a treaty, he would make it depend solely upon the will of the strongest. He knows far better than they who negociated them what the treaties meant. Thus, if naval materials were defined as lawful commerce, in some treaties, the right honourable gentleman says they were not prohibited as contraband, only because the contracting nation at that time did not trade in such articles. So, too, if in the treaty with Holland of 1674 "hemp, flax, and pitch; ropes, sails, and anchors; masts, planks, boards, beams, of what sort of wood soever, and all other materials for building or repairing ships," are, in the very words of the treaty, declared to be "wholly free goods, wares, and commodities," as expressly contradistinguished from contraband, the right honourable gentleman gives you two unanswerable reasons why you should hold these treaties as nothing in this discussion: first, says he, because it was not then foreseen that such things could be implements of war: secondly, or if it had been foreseen, the exclusion of such articles from contraband, in favour of the Dutch, does not affect the general principle, in as much as the Dutch were likely to be always allies of this country, or at least friendly. And the first of these powerful arguments he strengthens by a very fine hypothesis: — "suppose," adds the right honourable gentleman, "gunpowder had been invented subsequent to any treaty in which it was not declared to be contraband, what sort of a minister would he be who would admit a neutral power to assist his enemy with gunpowder, merely because it happened not to have been discovered when the contraband of war had been settled with such neutral?" Excellent illustration! Why, Sir, in such a case we should have all said the same thing; but how contemptible is it to imply the present to be such a case! What an honour to the close of the eighteenth century to have found out, not exactly the invention of gunpowder, but that hemp, pitch, ropes, sails, anchors, and masts, are become implements of war, which they were not in in 1654 and 1674! What a miraculous talent of expounding treaties must not that right honourable gentleman be gifted with, who would make those articles contraband to the rest of the world which were declared free to the Dutch, because it was considered certain, in 1674, that the Dutch must be always allies or friends of England! — even the Dutch, who, within only twenty years before this treaty, waged three of the bloodiest wars with this country that it ever before sustained with any naval enemy! Are the names of De Ruyter and Van Tromp so forgotten, in 1674, that is to say, two years after the cessation of war with Holland, that the hostility of their country to this may not be as likely as its friendship? And might not the glories of

these celebrated men afford some distant guess, that "hemp, pitch, ropes, sails, anchors, and masts," were in their life-time implements of war? — Why, Sir, can there be a clearer proof what the right honourable gentleman thinks of this House, than his offering such an argument as this, in palliation of this new war, which his wantonness and want of the commonest discretion has brought upon the country?

From the words which I have quoted, you see that these concessions were made to Holland in the treaty of 1674. Nobody can be ignorant how that country availed itself of all its privileges, either of natural right or of treaty, during the seven years' war, as well as during that which was terminated at Aix-la-Chapelle. Throughout these wars, Holland carried every neutral right to its utmost extent of exertion. Did all this exertion disable this country from crippling the marine of France during these contests? And if this concession, to so industrious a race as the Dutch, the general carriers of Europe, produced neither facilities to France nor injury to us, let me ask, if there be a prudent man on earth who would have provoked extremities with Russia, a power that has scarcely any carrying trade whatever, about a point which, in the hands of the Dutch, was absolutely nugatory as to all those dangers which the propensity to this war has discovered and magnified?

But the right honourable gentleman flatters himself that he has found out something auspicious to his cause, in recollecting that I condemned, at the time of the French commercial treaty in 1787, your granting this very point to France. What a cause of triumph for the honourable gentleman! That I censured, as most undoubtedly I did, the cession of a principle to a country which the experience of ages proved to be a kind of natural enemy in all your wars, which you denied to one that scarcely ever was against you, and which every maxim of honest English policy should prompt you to cultivate as a sort of natural friend. I dreaded not so much the direct as the indirect use that France might make of such a distinction in her favour; and I objected to, and reprobated your yielding that to Louis XVI. which you peremptorily refused to Catharine II. If I understand what it is to be right and consistent, I was so in my discrimination upon this point, in that discussion; and I am ignorant of the meaning of words, if the honourable gentleman's animadversion this night be not as weak, trifling, and fallacious, as were his original arguments at the time he made this surrender.

So much, then, as to the two first branches of this question with the neutral powers. With respect to the third point, the right of search—that, under sound and discreet limitations,

is certainly a right of belligerents; but, pushed to extremity, it becomes, like many other rights, a gross wrong. The right of search, as on the one hand it does not rest merely on unwritten law, so neither on the other is it a matter to be arbitrarily exercised. The thing, as well as the manner, is defined by strict stipulation. As to the claim of convoy, beyond all doubt, if the privilege of convoy were abused in protecting the trade of our enemy, that would be a very fit subject of representation. As far as we are acquainted with the precautions intended by the northern powers, they seem to have been fully aware of such a possible fraud; and there is nothing of this sort which, in my opinion, remonstrance and reason were not capable of settling. Even the presence of convoy would not prevent search, and justifiably too, in what the treaties call "cases of lawful suspicion." But after all, your final satisfaction may as well depend upon the convoy as the ship's documents. A sound discretion will be influenced by the nature of the case. It is not "search upon lawful or urgent suspicion," so well provided for in different treaties, that makes any part of the question; it is the unqualified assumption of a universal right to search in all possible cases; or, in other words, subjecting the commerce of the world to vexatious and insulting interruptions and inquiries, without stint or distinction. This is the grievance; and, to judge of its justice, I ask, would you endure such treatment yourselves from any state upon earth? There is no principle by which you can so well attain the knowledge of relative justice, as by putting yourself in the place of another, and deciding upon another by yourself. The extent of what you contend for would, if retaliated, lay at the discretion of any petty power, not only all the free course of your trade, but also the proud spirit and the high feeling which so naturally belong to your naval ascendancy. Suppose the King of Spain at war with Algiers. If one case can be imagined more likely than another to reconcile you to this humiliation, it would be, I suppose, in favour of a christian King of Spain, contending with pirates and robbers and infidel barbarians. A British fleet of merchantmen, in the lawful pursuits of trade to your own islands, for instance, of Minorca or Malta, or destined to any other of the Mediterranean ports, though convoyed by a squadron of English men of war, would, according to these arguments be liable to be stopped, ransacked, teased, and insulted by the meanest cutter in the Spanish navy. Such would be the fate to which your own maxims would expose you, unless you frankly acknowledge that you have one measure for yourselves, and another for the rest of the world. Whatever the shifting gale of luck and fortune may suggest

to feeble minds, be assured that justice is the best policy, and the soundest principle.

Notwithstanding all the phlegm with which the right honourable gentleman has stigmatised the three maritime states in this northern confederacy, not one word has he uttered, as my honourable friend (Mr. Grey) has well observed, against the King of Prussia, one of the most strenuous parties in this league. If the genius of the right honourable gentleman's government were yet to be truly characterised, his conduct in respect to this prince puts it in the most glaring colours. Not only all the wrong that may, in the opinion of many people, clog the question, but that which is the very pith and marrow of the whole dispute, the right honourable gentleman has, by the restoration of the capture in the Texel, given up to the King of Prussia. Why? Because, safe from the attacks of the British navy, the King of Prussia has the means of injury in his turn. What does all this demonstrate, but that the right honourable gentleman is ready to give up every thing to force, and nothing to reason. Instead of sparing the feeble, and pulling down the proud, he bows down to the mighty, and tramples upon the weak. With Denmark, vulnerable at all points, the right honourable gentleman will not even confer without a British fleet, but every thing is made a peace-offering to the King of Prussia.

My honourable friend (Mr. Grey) has truly and wisely said, that he was not called upon to discuss the question in dispute as a general principle. Certainly not; — the bringing it to the present issue is the very perfection of impolicy. "What!" answers the right honourable gentleman, "were we to give that up which Lord Stormont protested against in the year 1780?" Who wanted him to give it up? Where lay the necessity of either admitting or rejecting it? A cautious line of conduct had saved the question from public discussion, and Europe from this new war. The greatest naval success cannot obtain more real advantage for you than you might have derived from prudence — whilst failure, if you fail, would make your disgrace tenfold. Granting you all that you look to from arms, are you a bit nearer your object? Suppose you separate Denmark from this confederacy — humbled to the earth, admitting that she apologise for her conduct, is the pretension, therefore, at rest for ever? Do what you will, the claim will not be extinguished by the submission, but will revive with the means of enforcing it.

Upon the whole of this business, what is the obvious inference, but that those who fancy some strange interest in this dreadful trade of war — seeing jacobinism, and all their

other pretexts for its duration, grown stale and disgusting — have manœuvred to associate with the national enthusiasm in favour of its navy, a point in which its real interests are but little involved; have endeavoured to draw from the public predilection for that service, so natural and so well deserved, perhaps the means of advancing some new plan or speculation in no way connected, as upon former occasions, with the professed object. Foes or neutrals, what is so probable or so plausible to be urged, by jacobins and others, as that these honourable gentlemen, who have no character for pacification, and have yet just as much as their conduct merits, have fallen, as it were, upon this lucky question in good time to rouse the expiring energies of the country into new offers of lives and fortunes, for an object that may seem nearer and dearer to them than the further prolongation of the war with France — the great success of which its late conductor has, this night, so minutely detailed to you.

Now, Sir, let us proceed to consider this success. The right honourable gentleman (Mr. Dundas) resists the motion, this night, in a way which, though not wholly new from the same quarter, brings with every repetition of the same argument some fresh cause for astonishment. The assertion, that this war has been successful, is not made now by that right honourable gentleman for the first time, it is true; but then his recurrence to former, frequently urged, and as frequently refuted, reasonings, is compensated by something quite untouched in past discussions. It now seems, that this war was undertaken for the purpose of "conquering the colonies and destroying the commerce of France." The restoration of monarchy — the overthrow of jacobin principles — the abasement of France and confining her to her ancient limits — the balance of power — the cause of law, order, and our holy religion — all these are gone by; and the splendid reveries, that were soothed by such contemplations, are fallen, alas! and sunk down to the capture of ships and of tropical settlements. In this view of things the right honourable gentleman ventures to compare the success of the present with that of the seven years' war, and finds great consolation in discovering, that even in that glorious contention there had been some reverses — alluding particularly to Minorca and to Rochefort. With some portion of triumph he refers to these misfortunes, and applies his discovery, in rather a singular manner, as an argument to the present question; for he gives you this piece of history as a reason against going into any inquiry regarding the failures of the present war.

Most unluckily for the right honourable gentleman, the very misfortunes to which he has adverted were instantly

followed by inquiries in this House. It has been reserved for the present war, though the most disgraceful in its external, and the most wretched in its domestic consequences, of any that this country ever waged, to be the only war in which this House never saw any grounds for retrospect or revision. All the collected calamities of all their predecessors, for ages, do not equal, either in kind or number, the exploits, during the present war, of the administration just retired from office; yet they are the only men ever possessed of the powers of government in this country, who never even in a single instance yielded to any inquiry, upon any part of the innumerable disgraces that have marked the last nine years. So unlucky is the right honourable gentleman in the case of Minorca, that every thing respecting that business makes directly against him. To whatever cause the loss of that island may be attributable, this House immediately inquired into the cause. A person for whose memory certainly I have the deepest gratitude and love, [Lord Holland was secretary of state in 1755,] then one of the king's ministers, far from resisting, as the right honourable gentleman resists, was the most eager in insisting upon inquiry. Unlike the present times, the House of Commons then had not been tutored into that confidence in ministers which distinguishes later periods; and the parliamentary inquiries that followed the failures to which the right honourable gentleman alluded, so far from embarrassing the operations of government, or unnerving the martial energies of the country, (those stale objections to the approved and happy practice of our ancestors,) were succeeded by a series of unexampled successes. Such is the honourable gentleman's luck in his historical references!

Not one word that I have ever uttered, or that ever came out of the lips of any friend of mine on this side of the House, has tended, even in the most distant degree, to slur or underrate the achievements of our fleets; and I will leave the House to judge whether any persons in it, or out of it, have dwelt with more rapture upon the triumphs of that branch of the service than we have done. From this, however, the right honourable gentleman strives to draw a defence of a nature truly singular. He endeavours to intermingle with the glories of the navy the absurdities of his own expeditions, and asks, "How the military plans can be all folly, the naval all wisdom, both being advised by the same heads?" The question answers itself. It is in the nature of naval tactics, that a great deal depends upon the officers and men, upon wind and weather; — in land operations a good plan is almost every thing. Yet the merit of the admiralty is indisputable.

It is true, there are parts of the administration of Earl Spencer (for whom my personal respect is considerable,) not free from blame, particularly what related to the invasion of Ireland; but where the general system has been judicious and prosperous, it would be invidious to dwell upon a few errors. The right honourable gentleman would incorporate these two services, and is ready to take his share in the blame of the admiralty, generously commuting the glories of his own department for their miscarriages. Sir, every presumption is in favour of the admiralty — every proof against him. Nobody asks about the merit of the admiralty. It speaks for itself. And equally obvious is the true character of the right honourable gentleman's department. If all his expeditions have been marked by discomfiture and disgrace; if the failure of some is aggravated by circumstances too painful to touch upon; if such armies, with the courage they are known to possess, have produced only such effects — the inference is glaring. It is but to name the enterprizes — and the information, the skill, the vigour, and the ability of those who planned them, are as plain as demonstration can make them. No man will ever inquire about the wisdom that projected the expeditions to Quiberon, to Flanders, to St. Domingo, to Holland, to Ferrol, to Cadiz. These things are past all curiosity.

The right honourable gentleman has another way of reconciling this House to his disasters. With a precision that is quite ludicrous, and a gravity of face which, unless he were certain of his audience, would excite a suspicion that he was mocking the House, he gives us the dates, to an hour, of the days on which his expeditions sailed, when they landed, retreated, or capitulated: sometimes it is the wind, sometimes the rain, and sometimes the frost, the snow, the cold, the heat; now it is too early, and then it is too late;—and to this notable narrative the House listens, without once saying, "Tell us of a single military enterprize in which you have succeeded; and if you cannot, give us some better reason than your own words to believe that you are blameless. Let us inquire into the facts, and judge for ourselves." The right honourable gentleman, with this mass of defeats before his eyes, has the hardihood to talk of the success of this war; and thinks the enumeration of islands and settlements, and a schedule of captured ships and frigates, will so blind the eyes and confound the understandings of men, as to divert them from the only proper consideration, the only rational test of comparative success, namely, the relative situation of the two countries in point of power.

Of the word "diversion," the right honourable gentleman

gives us, indeed, a very curious illustration. Up to this moment, I believe no man ever understood any thing else by military diversion, but the drawing off, by means of a few, a larger number of your enemy, who might hurt you more in another quarter. The expedition to Holland, he tells us, had three objects in view—the capture of the fleet—giving the Dutch an opportunity of shaking off the yoke of France—and making a diversion for our allies in Italy and on the Rhine. He asks, "Is it nothing to have ten ships of the line added to our own navy, which otherwise would at this moment be a means of annoying us in the hands of our enemy?" Sir, in this, as in every other instance, the English navy did the duty assigned to it nobly; and if the capture of the Dutch fleet was a primary object of that memorable expedition, that object was accomplished without any necessity of hazarding any land experiments under the right honourable gentleman's auspices; for, in point of fact, the fleet revolted and surrendered before the landing on the Helder-Point. With respect to the second object, namely, giving the Dutch an opportunity of shaking off the yoke of France, with what horror they received your proffered release from their bondage, and the execration with which they load your name, it is unnecessary to state. But in the third and grand point, that of a diversion in favour of our allies, there we did wonders. If Europe were searched, not a place could be found so well calculated for enabling a smaller to combat a larger army as this selected spot. To this fatal neck of land did that right honourable gentleman devote 30,000 British soldiers, and so signal was the benefit to our allies of this precious diversion, that, about the very time that the English army was making that respectable retreat, the grand armies of our allies, under Hotze and Suwarrow, were beaten, dispersed, and routed, never more to rally or unite. Such was the honourable gentleman's "diversion" in Holland!

But his unconquered mind was not yet subdued enough from military expeditions. He proposed new sources of renown for those armies whose happy destiny it was to be at his disposal. Because he failed in the north, he was certain of success in the south; and, sure enough, he dispatches a formidable force under Sir Ralph Abercrombie, to co-operate with the Austrians in Italy. This armament, delayed until any man of common sense must have seen its total inutility towards its professed object, arrives at Genoa, just in time—for what? to assist General Melas? No,—but just in time to have the earliest intelligence of his total ruin. It sails into the road of Genoa, to sail out again, and escapes into the Mediterranean at the very time the Austrian garrison in that capital

passes out to meet their defeated countrymen in the northernmost parts of Italy! But was this co-operation desired by the Austrians? No such wish was expressed or felt. The right honourable gentleman plainly enough lets us understand the direct contrary. And was it thus that British armies were accustomed to be treated in former wars? Was it in this way that Prince Eugene acted to the Duke of Marlborough? What, then, is the fact? but that the hitherto untarnished reputation of our arms has so suffered under the baneful mismanagement of his majesty's late ministers, that the co-operation of 20,000 Englishmen is so slighted by our allies, that they deprecated their aid, and resolved to touch nothing belonging to us—but our guineas.

Now, Sir, as to the delay of this expedition to Italy, let me implore the attention of the House to the right honourable gentleman's defence. With the same admirable minuteness, as to days and dates, he tells you that this grand scheme was determined upon on the 22d of February. On the 23d, he told it to the king. On the 24th he told it to the duke. On the 28th the duke told him something. The right honourable gentleman then reads two letters, the one from Sir Charles Stuart, the other from the Duke of York, in support of this part of his defence. I have been called a *new* member this night; and new and raw, indeed, must I be, and wholly ignorant of the practice of this House, if I could hear, without reprobation, that which would have been scouted and spurned in the good times of the English constitution, when a spirit of just jealousy of its rights, and a proper sense of its independence, prevailed in this House, instead of a blind confidence in the executive government. In such times, no minister would have dared to have read to the House of Commons of England the garbled extracts, just as suited his own purpose, of letters from general officers, as an excuse for miscarriages, affecting in the nearest and dearest sense the honour and interests of the country. It is true that I have not been, for some time, in habits of intercourse with the illustrious person who is at the head of the army; but greatly indeed must he be changed from what I knew him, if he would not mark with his abhorrence this style of palliation. For what is it, and what does it prove?—that, if there were nothing more than we have heard, his royal highness ought to be instantly impeached. The national defence of England—its militia, is cut up by the roots; the general body of its officers is disgusted by the laws passed in 1799, which transferred to the line so large a proportion of its best disciplined men. These men, leaving the militia a mere skeleton, are incorporated with regular regiments, and embarked for Holland: and, seven

months after their first embarkation to, and five months after their return from, that disastrous enterprize, their commander-in-chief informs the executive government, if we are to believe the right honourable gentleman, "that it will take full two months to discipline them into fitness for actual service!" Was there ever such a defence as this hazarded before an assemby of rational men!

"But, had the right honourable gentleman's expedition been able to sail sooner:" — "If the battle of Marengo had not been lost:" — "*But!*" — "*If!*" — Why, Sir, I do not know what degree of fortune there may be in this battle or in that; but I believe the right honourable gentleman never was more mistaken than he would find himself even in the event of Bonaparte's defeat at Marengo. Such were the precautions of that fruitful mind; so well did he arrange his measures; so little did he, in truth, trust to mere fortune, that if, against all probability, Marengo had been lost, that mighty genius had so disposed his resources, that many a bloody battle must have been gained by his enemies before they could have made much impression upon the incomparable system of his operations in Italy last summer. I defy imbecility itself to string together a more motley pack of excuses than the right honourable gentleman has laid before the House this night. "Amsterdam had been taken, if Sir Ralph Abercrombie had landed on the 16th instead of the 27th of August — Sir Charles Stuart's dislike to the Russians protracted Sir Ralph's departure for the Mediterranean — Ten thousand Irish militia were to come to England, and ten thousand English to go to Ireland — Some of the troops wanted their new coats, some their arms — One expedition sailed on the 8th of April, took shelter on the 13th, and resailed on the 24th — It was designed to assist the Austrians, but the Austrians would not be assisted — There was no plan or concert between the two courts — An account-current with the seven years' war; took more ships than Lord Chatham, and more islands — St. Domingo was unhealthy, and rather expensive; but it was a good market — This war has opened [illegible] new markets — Returns, even to a man, of the new-raised corps at Gibraltar, Minorca, Malta, Portugal; and the total of your force, now and in 1797, with a most comfortable exactness — The history of England from 1755 to 1762 — from Severndroog to the Havannah." — In a word, such a series of insulting puerilities as no House of Parliament was ever before entertained with under the name of a defence! So much, for the present, of the late secretary; and now to proceed to another view of the success of this war.

The late chancellor of the exchequer tells us, that he forbears going over the military exploits, only because his right honourable friend has put those things in the clearest light. He is equally positive as to the success of the war; but not to usurp upon his truly fortunate colleague, he has his own peculiar instances to detail, of prosperity, of comfort, and of multiplied happiness — all flowing in upon the country from his own more immediate department. Quite scandalised at my honourable friend's statement of the magnitude of the national debt in consequence of this war, the right honourable gentleman pares down its amount since 1793 to the trifle of 160 millions; and how? — by a mode surprisingly curious indeed. First, he cuts out the 56 millions, for which the income-tax is mortgaged; and next, he desires you to forget all that the sale of the land-tax has already purchased, or may yet redeem. Alas, Sir! there is not a gentleman in this House who would rejoice more than myself, if the income-tax could be set down for nothing; and I cannot help admiring that insensibility under which the right honourable gentleman passes over a grinding impost that has ripped open the private concerns, and reduced the necessary comforts, of every man in England. The extinction of debt from the sale of the land-tax carries its own evil in its tail; and we might as well rejoice at our prosperity from that measure, as a private man would from paying his debts by bringing his estate to the hammer. The debts in so far may be paid; but the estate is gone for ever. The right honourable gentleman must think his audience are children, when he attempts to cajole them by such a play upon words.

In reality, what is the state of the country upon this point? From such a population as that of Great Britain, near forty millions sterling are annually wrung: to this add ten millions more for the poor-rates. The right honourable gentleman has estimated the landed rental of England at 25 millions. Thus, then, we pay, yearly, double the produce of the whole rental of the country, [illegible] and taxes; a sum approaching very nearly the whole income of the country. Was any nation ever before in such circumstances? If nothing else were stated but this undisputed fact, is it not, of itself, a crying reason for inquiry? As to the sinking-fund, let it be always remembered that its effects, highly beneficial as they are, must depend upon the revenue keeping its level. If the revenue fails, the charm of the sinking-fund vanishes into nothing. This, Sir, is the true picture of our financial condition as a state; and the condition of the people is strictly answerable to it. One-sixth of all the souls in England are supported by charity; and the plight of a great proportion of those who contribute to their

maintenance is but little better than that of the paupers whom they succour. How the right honourable gentleman has nerves to sustain him in venturing to talk of the happiness of this country, would be incomprehensible, if our long experience of him had not convinced us of the fondness with which he can survey every act of his own. The repetition of his delusions deludes even himself. He has indulged so much in these fatal reveries, that he appears to have become his own bubble, and almost to mistake for realities the phantasms of his bewildered wits. Let him ask any of the members from Yorkshire and Lancashire, what the state is of the manufacturers in those countries; even those (looking at Mr. Wilberforce) of whom I may not think the best, will not venture to deny the starving, distracted condition of those great and populous districts.

These, Sir, are some of the internal effects of this war, which both the right honourable gentlemen venture to compare with former contentions against France. We have taken more, they tell us, than even in the seven years' war; and therefore this surpasses that in success. Good God! Sir, what an effect does a confidence in the votes of this House produce upon the understandings of men of abilities! To talk of this war, and that of the seven years! "We have destroyed the commerce of France — we have taken their islands," say you — but these, I say, were not the objects of the war. If you have destroyed the commerce of France, you have destroyed it at the expence of near 300 millions of debt. If you have taken the French islands, you have made a bootless capture; for you are ready enough to restore them as the price of peace. You have taken islands — but you have, at the same time, laid the house of Austria prostrate at the feet of triumphant France. Have you restored monarchy? — Its very hopes are entombed for ever. Have you destroyed jacobinism, as you call it? — Your resistance has made it stronger than ever. Have you reduced the power of France? — France is aggrandized beyond the wildest dreams of former ambition. Have you driven her within her ancient frontiers? — She has enlarged herself to the Rhine and to the Alps, and added five millions to her population in the centre of Europe. You had all the great states of Europe for your allies against France — What is become of them? — all that you have not ruined, are your determined enemies. Where are the neutral powers? Every one of them leagued with this very France for your destruction. Could all this be chance? No, Sir; it is the true succession of effect to cause. It is the legitimate issue of your own system. You began in foolishness, and you end in mischief. Tell me one single object of the war that you have

obtained? Tell me one evil that you have not brought upon your country? Yet this House will not inquire. The right honourable gentleman (Mr. Dundas) says, "We have had more difficulties to encounter than any former government; for we had constantly thwarting us the implacable monster jacobinism." Sir, jacobinism has in it no property so sure as the right honourable gentleman's system to propagate and confirm it. That system has given to jacobinism life and nutriment, strength and maturity, which it could not have derived from any other course. Bent upon crushing every idea of any reform, they resolved to stifle the once free genius of the English mind, and suspend some of the most valuable parts of the English constitution, rather than yield one jot. Hence their administration is marked, in this country, by a succession of infringements upon the dearest rights of the people — by invasions and rebellions in another country. The parent source of all these disorders is that baneful impolicy, in which both the right honourable gentlemen endeavour to implicate the House. "All that we have done," says the right honourable gentleman, (Mr. Dundas,) who, to be sure, is more a man of things than words, "has been approved by all, except a small remnant of this House," (an expression which he uses, I presume, to show, that though an act of parliament may incorporate legislatures, it cannot unite languages,) and the other gentleman is so anxious to establish the popularity of his system, that he almost reproaches the House with coldness in their support of him. He complains that only "seven-eighths" of the members of this House were for his measures, when he had nine-tenths of the people.

If, Sir, this were true of the people, they would almost deserve their present fate. But the drift of all this is obvious enough. This identification of himself with the House — this laborious shifting, as it were, of the right honourable gentleman's own responsibility upon their votes, is very intelligible; and he falls into that classical correctness which I have before noticed in his right honourable friend, in his great zeal to make that point clear. Though he has had three parliaments, chosen, one would have thought, pretty well to his taste, he asserts that even the majorities of this House could not *come up* to the tone of the public, in favour of his measures, which, he says, had the sanction of all but a few "exploded opinions" in this House. "Exploded opinions," then, he defines to be opinions which this House negatives by its majorities. The right honourable gentleman must allow me to inform him, that his great and justly revered father spent the greater part of his life in the enforcement of such exploded opinions. I must remind him, that he himself was for some

time tainted with such exploded opinions. "Exploded opinions" have distinguished many of the wisest and the best men this nation ever produced; and though I lament the sufferings of my country from the neglect of those opinions, I assure the right honourable gentleman and this House, that there is nothing on which I should so steadily rely for the regard of good men, living, or of posterity, when in my grave, as those very opinions which the votes of this House have enabled the right honourable gentleman to stigmatize as "exploded." In point of fact, however, the right honourable gentleman, still surveying himself in the flattery of his own mirror, is wholly mistaken about these exploded opinions. It was to these exploded opinions that the negociations of Paris and Lisle are attributable. We gave strong reasons in this House for peace. The public thought with us; and we have his own words, that he entered upon that treaty only in compliance with what he now calls "exploded opinions."

But the right honourable gentleman has a keen anxiety lest this House should not continue to think these opinions quite so exploded; for he contends, "Will this House, by going into the proposed inquiry, disgrace its former votes?" To which I answer, Yes, certainly; if this House will save the country. In the very House of Commons, to which I before alluded, the early scene of the right honourable gentleman's "exploded opinions"—this very stimulus to pride was urged, though without effect. That House, as well as this House, was questioned, "Will you, the uniform supporters of this war against America, disgrace your former votes?" But, Sir, they did disgrace their former votes; and, by so doing, they did honour to themselves, and saved their country. That parliament was a retracting and a recanting parliament. Bitter as it was, the draught was swallowed; and I have no hesitation in saying, that this House, to rescue this country, if that, indeed, be possible, from the perils in which the right honourable gentleman has involved it, must tread in the footsteps of its predecessor in 1782; and, by renouncing the right honourable gentleman and his system together, preserve this country from its impending dangers.

Now, Sir, I come to the consideration of the late change of administration. Before I touch upon the others, allow me to say, that, with respect to one of them, I do not think it would be easy, if possible, to find a man in the whole community better suited to, or more capable of, the high office he fills, than the distinguished person at the head of the admiralty: I mean the Earl of St. Vincent; but beyond him, I own, I do not feel myself able to say one word that can be very agreeable to any individual of the remainder. As to

the mere change, it is true, that no change can be for the worse; for I defy the evil genius of the country to pick out an equal number of men from any part of England, whose measures could, in the same space of time, reduce the country to a more deplorable state than that in which the retired ministers have left it. But was there no alternative for the country between them and their exact successors? I feel this to be a very unpleasant part of this night's unavoidable discussion: in matters of importance, however, delicacy must give place to duty. The late chancellor of the exchequer, not perhaps quite freely from redundency, has blended with his panegyric of the honourable gentleman over against me, (Mr. Addington,) a gaudy picture of the importance of the chair which you, Sir, occupy. I agree that the office of Speaker is a high and honourable station. It is certainly the first dignity in this House; and, I suppose it was *merely* for the public good, that both your predecessors descended from that altitude to *inferior places*, but happening to be at the same time situations of infinitely more emolument and power. A man, however, may be an excellent chairman of this House, as the late Speaker undoubtedly was, without being exactly qualified for the office of chancellor of the exchequer. At the present moment this is all that I think it necessary to say with regard to the respectable gentleman whom you, Sir, have succeeded.

The next in point of importance, both of office and character, is the noble lord upon the opposite bench, (Lord Hawkesbury,) who has richly shared those florid praises which the right honourable gentleman (Mr. Pitt) has poured so fluently upon the whole body of his successors. I assure the noble lord, that I have as much respect for him as I can have for any person of whom I personally know so little. He has been, it is true, a member of this House for many years, and, I doubt not, a very diligent member; but, if you had polled the country, not an individual could be found in it less happily selected for the peculiar department he occupies than the noble lord; — the noble lord who, in whatever else he may surpass them, does not yield to any one of those whom he officially succeeds, in the virulence of his obloquies upon the French Revolution; who has spent as many hours in this House as any member of the late or present ministry, in showing the irredeemable infamy of treating with that "republic of regicides and assassins." Never, surely, was there a worse calculated proposer of peace to Paris than the very noble lord who was for cutting the matter quite short, and marching off-hand to that capital. What, then, is this country to expect? A change of system? No: for all that the public have learnt upon this subject is this, that the new

ministers are come in distinctly and expressly to support the system of the former; with this single exception, (which makes any hope of establishing the tranquillity of the country recently united to us wholly desperate,) that they are hostile to the only measure of their predecessors which has any pretension to wisdom and good policy.

Before I proceed to the conclusion of this part of my subject, I must beg leave to say something upon this much-talked-of subject of catholic emancipation. As to the mere word "emancipation," I agree with the right honourable gentleman (Mr. Pitt), that the expression is not the best adapted to the case. It is not emancipation, in the ordinary meaning of the term, that the catholic wants, or that the government can grant; it is the removal of the civil disabilities that remain, and that remain for no end either of security, of policy, or of prudence — insulting and vexatious distinctions, beneficial to no interest whatever — but the fruitful source of jealousy, discord, and national weakness. The right honourable gentleman talks of the king's reign having been a series of concessions to the catholics. Sir, the king's reign is marked by no concessions which the blameless conduct of the catholics was not calculated to exact from the most unwilling government in the world. He talks of what has been given to the catholics. Sir, you give them nothing while you deprive them of a right to sit in this House. I know of no political rights which ought not to be common to all the king's subjects, and I am sure that a system of proscription, on account of theological differences, will for ever be found not more unjust and absurd than pernicious. If this principle needed illustration, Ireland affords it beyond the power of controversy. Divided by the government, it presents a constant temptation to your enemy. Rebellion is the fruit of bad policy, and invasion is encouraged by disunion.

In mentioning the name of Earl Fitzwilliam, (so strangely quoted by an honourable gentleman, as having contributed to the misfortunes of Ireland by his proposal regarding the catholics,) though I am eager to avow my partialities for that noble person, it is not from private friendship or personal regard, that I call upon any really candid man to deny, if he be able, upon his honour and conscience, that the system introduced by that noble lord would not, if then adopted, have prevented those dreadful scenes of havoc, murder, and devastation, which have since desolated that wretched country. Let it be for ever remembered, that, with all the industry which has been employed in making up the reports of the Irish Lords and Commons upon these subjects, not a vestige of evidence appears, but the direct contrary, that any

approach was made to seek assistance from France, or that even the most distant idea of separation from, or setting up for independence of this country, was entertained in Ireland, until every petition for peaceful redress of grievances was spurned and rejected.

But, Sir, this concession, to which a few years since (when, in my full belief, it would have prevented all the calamities that have since happened,) the right honourable gentleman was so determined an enemy, and of which he is now, it seems, a martyr, was to have been, in his hands, accompanied with God knows what guards and qualifications. The apprehensions, I think all such wholly chimerical — but no matter. Whatever apprehensions to church or state the fearful or the zealous might entertain, from the grant of this catholic claim, were all to be composed and done away, by the healing, wholesome, tranquillizing plan of the right honourable gentleman: and, after raising our expectation to the highest pitch in favour of this choice scheme — this choice scheme, he tells us, must be locked up in his own breast. Now, that the right honourable gentleman should not impart his project to us on this side, whose dislike to it he anticipates, is nothing; but, that he should resolve to keep this House and the public in total ignorance of this most wise and perfect system, is utterly unaccountable. The right honourable gentleman's steady determination to hide from the world this piece of excellence, reminds me of a saying of Mr. Burke, who, in his fine strain of ridicule, observed, that if torture could ever be justified, it would be when a man refused to reveal what he asserted would be a mighty benefit to mankind. Torture had of late been liberally applied to extort the confession of evil; and if one could give the right honourable gentleman credit for the just grounds of his egotism, it would almost tempt a wish that he were compelled to disclose this blessed secret. So obdurate is he upon this point, that he not only seals his lips against such a happy disclosure, and proclaims his determination not to introduce, in his own person, any question upon this subject, but he absolutely forbids the House from discussing it, by declaring, that such discussion will not be useless merely, but mischievous. It is not, however, to this part of the business alone that the right honourable gentleman's mysteries are confined; every thing connected with it is to be shrowded in silence and concealment. After avowing very fairly, so far, though not the direct composition, the sense and spirit of the paper diffused through Ireland in his name; and after owning that his inability to propose his catholic regulations, as a minister, was alone the cause of his resigning his office, the right ho-

nourable gentleman protests against further explanation. "No further avowal or denial shall be drawn from him either now or hereafter." This, sure, is the most extraordinary declaration that ever fell from the lips of a public man. The right honourable gentleman resigns his office, because he cannot propose his measure. To Ireland he sends his sentiments, as they are conveyed by a friend of his, in the paper alluded to. He describes his plan to this House as the perfection of all wisdom; and upon all these points he defies interrogatory, and deprecates comment.

The right honourable gentleman asks, "Is it wonderful that the sovereign should have an opinion?" No, certainly; and if the right honourable gentleman did not make himself acquainted with his sovereign's opinion upon this point, long before the proposed introduction of his meditated system, he was guilty of a breach of duty. In what possible way can the right honourable gentleman be exculpated from the charge of gross irreverence to the king, or of abusing so many millions of his people? He denies that any positive pledge was given to the catholics at the union; but admits that it was natural for them to cherish expectation from it. Natural! Why, unless they reasoned very deeply, indeed, upon the right honourable gentleman's mind, such an expectation was inevitable. In the nature of things they must have looked upon it as a certainty.

I shall say nothing of the other means employed to accomplish the Union; but in respect to the operation of the catholic question upon that measure, I can easily conceive, that if any friend of the catholics, my relation the Duke of Leinster, for instance, or any other person well affected to their cause, or any of the leading catholics themselves, should have been consulted by the right honourable gentleman, what can be so likely as that the right honourable gentleman should hint in private, what he has so distinctly stated in public, namely, that the shortest, surest course to the attainment of their objects would be, their support of that measure, from the adoption of which alone those concessions could flow which were so often refused by provincial prejudice, ignorance, and injustice. Upon the other hand, I cannot conceive any thing more probable than that the reluctance of those early enemies to the Union, who are, at the same time, such infuriated terrorists in favour of protestant ascendancy, had been subdued by assurances that an imperial parliament alone could raise a barrier sufficiently powerful to beat back the claims of the catholics, so often, and so likely to be often preferred in the parliament of that country. It appears to me that nothing could be at once more likely,

and more like a pledge, than all this, when those public declarations of the right honourable gentleman are remembered, which left no reserve upon this — that for either giving or rejecting the catholic claim, the justice to feel it, the liberality to grant it, and the strength to secure it to the one sect, without mischief to the other, could be expected in a general parliament of the empire — and in that alone.

That both parties in Ireland are discontented and disgusted, cannot be otherwise than too true. To the protestant zealot there is no security, or satisfaction to the catholic claimant. Such is the right honourable gentleman's infelicity upon this great question, that the measure which was to be the remedy becomes the source of all distempers. Instead of quieting, he has agitated every heart in that country. The epoch from which was to begin the reign of comfort and confidence, of peace and equity and justice, is marked, even on its outset, by the establishment of that which rests every civil blessing upon the caprice of power. Ill-starred race! to whom this vaunted union was to be the harbinger of all happiness; and of which the first fruit is martial-law, — or, in other words, the extinguishment of all law whatsoever!

The situation of the king, and of this House, upon the subject, is quite unexampled. His majesty's prerogative is clear and undoubted to change his servants, to give or to refuse his assent to every law; but it is a gross breach of the privileges of this House, and a deep violation of the constitution, to use the king's name for the purpose of influencing its deliberations. Here is not only an introduction of the king's name, but a declared incapacity to propose a salutary system, on account of objections which the constitution of the country, and the undoubted rights of this House, will not allow to be even mentioned or hinted at. Sir, I respect the monarchical part of this government; but the monarch has nothing to do with the sentiments of a member of parliament: and for the wonders of these times was reserved a public declaration within these walls, coming from high authority, that a plan of acknowledged benefit cannot be proposed here, unless it comes recommended from the crown, of which, by the constitution of the country, it should be the peculiar genius of this House to be wholly independent.

This surely is a strange state of things; and every thing connected with it is of the same character. As a right, the right honourable gentleman denies the claim of the catholics. He would give them nothing as a right — but he thinks the concession expedient. This, Sir, is not my sense of the catholic claim. I would grant it, not merely because it is

expedient, but because it is just. Those who press the doctrine of virtual representation to the utmost length, never ventured to carry it so far as even to pretend that it extended to the privation of the catholic body. Catholics, in my opinion, have rights as well as protestants. They have both rights conjointly; not resting upon light or frail grounds, but forming the very base and foundation of our civil system; and the government which does not acknowledge these rights, the rights of man in the strictest sense of the word, (notwithstanding the constant clamour against, and abuse of that phrase,) not as theories and speculations, but as active and living principles, is not, and cannot be a legitimate government.

The inferences to be drawn from the style of argument which has been used in defence of the duration of these dreadful laws in Ireland, furnish a sentence of condemnation against the government of that country, much stronger than any that was ever used by those who, so unavailingly, raised their voices against a system of terror, of free quarters, of conflagration, and torture. If it be true, as they allege, that treason has tainted that people to the bone — if the poison of jacobinism, as they call it, pervade the whole mind of the multitude — if disloyalty be so rooted and so universal that military despotism can alone make the country habitable — it would be against the experience of the world that such a wide and deadly disaffection could, or ever did, exist in any nation on the globe except from the faults of its governors.

To this country, too — to England, what a contradiction is the conduct of these honourable gentlemen to their professions! This nation was to reap marvellous blessings from the Union; but of what benefit is the junction of four or five millions of traitors? Such, the laws proposed by these honourable gentleman tell you, the Irish are;— but such I tell you they are not. A grosser outrage upon truth, a greater libel upon a generous people, never before was uttered or insinuated. They who can find reason for all this, in any supposed depravity of the Irish, totally misunderstand their character. Sir, I love the Irish nation. I know a good deal of that people. I know much of Ireland from having seen it; I know more from private friendship with individuals. The Irish may have their faults, like others. They may have a quick feeling of injury, and not be very patient under it; but I do affirm, that, of all their characteristics, there is not one feature more predominant, in every class of the country from the highest to the lowest order, than gratitude for benefactions, and sensibility to kindness. Change your system towards that country, and you will find them another sort of men. Let impartiality, justice, and clemency, take place of prejudice, oppression, and

vengeance, and you will not want the aid of martial law, or the terror of military execution.

Having said thus much upon the affairs of Ireland, let me recur to what I before urged regarding this new ministry. It is not that the change is for the worse upon the whole, for no change can be so; — but, let me ask, what is it that the public can expect from men, whose fundamental principle is adherence to that system of their predecessors which has brought this empire into its present circumstances; and whose only novelty, or deviation from that system, consists in their repugnance to the only measure, of those whom they have succeeded, that has any pretension to good policy? "Not so," they will answer; "the system was most wise." Well, be it so; this "wise system" has reduced this country to the state in which it is at this moment involved. Tell me how you intend to get us out of the danger? By the very means that got us in, is the inevitable inference. Do you try no change of system? No; by no means; we go the beaten course. Is there nothing new in your plan? Yes; our predecessors designed to restore four millions of our fellow-subjects to the rights of the constitution. This we refuse. In all things else we follow their example. Such is this new ministry — and such the obvious hope from their appointment!

Upon the question with the northern powers, the noble lord, (Hawkesbury,) if rumour err not, has been as high-toned and intractable in his official communications as even his vigorous predecessor. As far as respects France, the whole country could not afford a selection of men so calculated to excite distrust. If any thing could justify the sporting with human life, never, surely, was occasion more apt of retorting the insulting folly made to Bonaparte's most conciliating proposals of last year. With how good a grace might he not answer, "With you I cannot treat — you are but newly in the possession of a doubtful power — I must have experience and the evidence of facts — You have called me a child and champion, and sometimes a puppet — You are the children and champions of those whom I have covered with indelible disgrace — How do I know that I can place the least reliance upon any treaty made with men who, indeed, may be mere puppets, moved by wires, in the hands of others?" Thus might Bonaparte cast back upon this government the absurd impediments that were raised against any negociation with him in January 1800. But I believe him to be much too wise and too sensible of that which constitutes his truest glory, the desire of giving a durable peace to the world, to resort to such objections, or descend, upon so important a subject, to repeat their words, whose example he has scorned in so many

other instances. What a contrast does his conduct afford to that of the gentlemen over against me!

To the reiterated importunities of this side of the House, in favour of negociation, they have replied alternately in this style. When beaten, "What!" said they, "will you treat now and dispirit the country? Is the moment of defeat the time for negociation?" Not so Bonaparte. Even in the state to which the directory reduced France, even before he drew the sword from the scabbard, he humbled himself, (if the noble wish of stopping the effusion of human blood can indeed be humility,) to reconcile those honourable gentlemen to the restoration of the world's tranquillity; and it will be matter of curious reflection for after ages, to observe, such a man as Bonaparte almost upon his knees, supplicating such conductors of war as those over against me, for peace. In the crisis of success, when we implored them to take advantage of the victories of our fleets, they have replied, "What! treat now, when we are so near the object of the war? Will you sully the glories of your navy?" But Bonaparte, who gained not a victory without making a proposal of peace, did not think that the glories of Marengo or Hohenlinden were in danger of fading, from the constant proffers of a pacification made by him who never won a laurel without shewing the olive at the same time. We on this side of the House have been taunted with unnerving the people and undervaluing their resources, at the several epochs when, truly describing the country, we urged the other side to peace. I am no advocate for despondency, and should be the last person in the world to countenance a sentiment of despair in either man or nation; but I am sure that the true road to ruin, for either, would be to shut their eyes to the reality of their danger. How stands that point with the rival government?

Did Bonaparte blink the difficulties of France? It is possible that, with a view to enhance his own renown, he may have magnified, but it is quite certain that he did not understate its distresses of any sort. Far from it. He exhibited to his country a strong picture of national misery; and, to rouse the energies of France to those extraordinary achievements which immortalise the short campaigns of the last year, his proclamation was — what? — the answer of the gentleman over against me to his entreaties for peace. Not all his conquests, not all his fame, so effectually recruited the French armies, as that solemn appeal to the good sense of France, that stimulus to revolutionary ardour, and to the proud passion of national independence, the ever notable reply of Lord Grenville to M. Talleyrand. Marengo and Hohenlinden grew out of that famous paper. To a frank but respectful

letter addressed to the King of England, they say, "Restore the Bourbons!" — or, in other words, "Go hang yourself! If you would give a speedy peace to France, re-instate that family, whose first act in all probability would be, to bring you to the scaffold." Bonaparte was so perverse and strange a man, that he rejected this good advice, and would not consent to his own destruction and dishonour, by replacing France under that tyranny from which the Revolution freed her, and which nine years of unheard-of sufferings, and of martial prowess without example in history, had been consecrated to annihilate.

The right honourable gentleman (Mr. Pitt) seemed to kindle at the supposed charge of making the restoration of monarchy a *sine quâ non* of peace. Had that charge been really urged, I leave any man to judge whether the means of supporting it are not abundantly supplied by Lord Grenville's memorable dispatch; but though he tells us that we are callous to the refutation, the right honourable gentleman, in fact, is combating a shadow, for that is not the charge. A total failure of all the declared objects of the war, of which the restoration of monarchy was one of the foremost, is the charge we make; a charge which he has not answered, and cannot answer; and if the right honourable gentleman cannot distinguish between a motive to war, and a *sine quâ non* of peace, he must have left his understanding behind him in his office.

All the right honourable gentleman's dexterity is employed to shew this House that it will be giving itself, as it were, a slap on the face, if it adopt this motion; and he makes to his friends a most pathetic appeal upon grounds purely personal. Conscious that inquiry will ruin him, he urges the pride, the consistency, the feeling of the House to reject my honourable friend's motion; and he warns his noble relation (Earl Temple) to spare his compliments, if he withholds his vote. Inquiring into his conduct, he avows, is the worst service his friends can render him. Sir, undoubtedly this is so far the truth, that a fair and honest inquisition would be his overthrow; and his conduct this night is a perfect comment upon his life. But is it thus with men who dread not investigation? The name of Lord Fitzwilliam has been mentioned. When a great question of state, affecting the peace of a whole nation, was at issue between that noble lord and the right honourable gentleman's government, how did Lord Fitzwilliam act? Did he skulk under the supposed sympathies of parliament? Did he say, Don't bury me under compliments, if you vote for inquiry? No, Sir, that noble lord in his place in the other House, provoked, demanded, and challenged inquiry; and it is in the memory of many now present, that there was

not in this House one person connected with that noble lord, by private friendship or by any other tie or intercourse, who did not vote for going fully into that transaction. Not so the right honourable gentleman, because he is conscious of no such cause. This House rejected that motion, the adoption of which might have prevented the miseries that have since intervened. May God avert similar consequences from similar conduct this night!

If the right honourable gentleman can continue to persuade this House against the revision of his conduct, I do not wonder that he should have seized the opportunity of resigning the government into the hands of his friends. The right honourable gentleman near him, (Mr. Dundas,) after telling the House an entertaining story of Charles II., sneers at us, and says he has not heard of any prayers offered up for our succeeding to their places. Has the right honourable gentleman heard of any prayers offered up for their return to them; or in any part of the kingdom has there been a regret expressed at their retreat? Perhaps it would be nearer the truth to say, that no joy was more general, till that feeling was damped by the suspicion that the change of ministry was in reality no change at all. But the right honourable gentleman (Mr. Pitt) has taken infinite pains to contradict this notion, and laboured very assiduously to prove that it was, in good sooth, a real change, and no juggle. "Is office," he asks, "a thing that people are generally eager to lay down?" Undoubtedly, in that respect nothing is more easy than to ascertain the right honourable gentleman's disposition, materials for deciding it being amply afforded by his history; and if the world really thinks that he has relinquished the government merely because he found impediments to a wise and honest measure, then the right honourable gentleman has the full effect of his character. It, however, is indisputable, that no minister of England up to this period has discovered less alacrity in parting with his place.

Still more to prove that the recent change is no imposture, he seems to lament that, being so near the end of his labours he should be forced to yield to circumstances, and not be himself the person to terminate this glorious career — he grieves at not being in at the death, as it were. Now, Sir, as to what single object of the war the right honourable gentleman has gained, or (except in his departure from office) what reason he has for concluding that this contest is near its close, he leaves us in utter ignorance. Whence does he draw his conclusion? Are the points for which this government contended more likely to be attained at present than they were at Paris or at Lisle? Are you more likely to get the re-

storation of the Low Countries, which you so judiciously made a *sine quâ non* of the former negociation, at this time than at that? Or, putting that matter quite out of sight, are you nearer to any other rational pursuit now than then? Are you stronger? Is France weaker? What is it, I ask, that feeds the right honourable gentleman's fancy into a notion that the end of this war is so near at hand?

As to the late change of his majesty's servants, it is impossible for me to say whether it is a juggle or not; but, considering the genius of the right honourable gentleman's contrivances, I can see many things in such a scheme which would make it not unsuitable for him to hazard such a thing as an experiment. Blinded he would be, and under hopeless infatuation, not to feel the total impossibility of his ever reaching that goal at which he casts such a lingering look. I do not exactly charge him with positive duplicity in conducting the different treaties which he opened with the enemy; but that he was grateful even to piety for the miscarriage of them all, is not to be denied. When, then, was he to be successful or sincere, who never negociated without failing, and never failed without rejoicing? Not one single step could he take towards pacification, without stumbling upon something that must suggest to him his own humiliation, and without prompting the enemy with perpetual mistrust. Well, therefore, may the right honourable gentleman pour forth his panegyrics upon his successors, who take this task (so ignominious for him and his colleagues) off his hands, and who, at the same time, proclaim their devotion to the principles of his administration.

Now, Sir, having advanced all that I think necessary to urge in support of my honourable friend's motion, I shall beg leave to say a single word upon a topic that has been several times alluded to in this debate, namely, my personal attendance in this House. It is not for me to anticipate the determination of the House this night. If I see any reasonable grounds for thinking that my regular appearance here can be really beneficial to the public, the public shall have that benefit: but if it is demonstrable, after the seas of blood that have been shed, and the hundreds of millions wasted — after such sacrifice of treasure and of reputation — after the failure of all the professed objects of this war, and after bringing immeasurable woes upon the country in consequence of it — after a series of military enterprizes that excited the contempt, and some of them the horror of Europe — after the loss of all, and the ruin of many of our allies — after seeing the enemy aggrandised beyond all example, by the very efforts made to abase him — after having abused the

matchless glories of our navy, from the true end of all justifiable warfare, a safe and honourable peace — after seeing the ninth year of this direful contest advance us so little towards its close, that we see a host of new enemies commencing a new war, pregnant with mischief whether we are victorious or vanquished — after all the infringements that have been made upon the English constitution, and our bitter experience that increasing the cause is not the true remedy for discontent — after all that we have seen in Ireland, and all that we feel in England — if all these things go for nothing, and the division of this night should manifest the same determined confidence of this House in that system which has produced all these effects, whether administered by its first leaders, or by their followers raised from secondary into superior offices — then, Sir, sensible of the utter inutility of my exertions, I shall certainly feel myself justified in exercising my own discretion as to the degree of regularity with which I shall attend this House.

How this House feels I know not: how it will act we shall shortly see. It is for the House to resolve how it will best discharge its duty; I am quite satisfied that I have discharged mine. Those who think that what I have stated are not evils, arising from any defect of wisdom, of vigour, of foresight, of prudence, or of any of the qualities that constitute the essentials to an able and capable government; but that they are only slips of conduct, mere flaws of accident, affording no presumption against the king's ministers, whom this House is constituted not to controul or call to account, but to support and justify upon all occasions — such persons will of course vote against this inquiry. On the other hand, those who think that the misfortunes brought upon the country by the late ministers are the necessary consequence of original folly in the schemes, and of imbecility in the execution; who think that the primary duty of this House is to guard the rights and protect the interests of the people; who are of opinion that the dreadful state in which the country finds itself is not more owing to the misconduct of administration than to the absence of this House from that constitutional jealousy of the influence of the crown which ought to be the first characteristic of a House of Commons, and from its uniform discountenance of all retrospect and revision — Those who think that the vice of the plans and principles that have brought the country to its present situation, has been cruelly aggravated by that boundless confidence which this House has uniformly shown, and which, instead of deterring from evil or doubtful projects by the fear of punishment, has operated as an encouragement to dangerous speculation, by the assurance of

indemnity and safety—Those who think that this question ought not to depend upon regard to the late or the present administration, to predilections or antipathies for that side of the House or this —Those who think that the reign of confidence has had full play, that the principle has been fairly tried and found wanting, who see in its sad effects that it is not more unconstitutional than impolitic, and who firmly believe that the surest method of redeeming the country in the present crisis, is for this House to resort to the good old customs of our ancestors, to resume in the worst the jealous vigilance of the best times, and to manifest that the support of government must be accompanied by inquiry into its conduct — Those who think thus will vote, as I shall, for the motion of my honourable friend.

The House divided on Mr. Grey's motion:

	Tellers.			*Tellers.*	
YEAS	Mr. Grey Mr. Whitbread	105.	NOES	Mr. Yorke Mr. Abbot	291.

So it passed in the negative.

ADDRESS ON THE PRELIMINARIES OF PEACE WITH THE FRENCH REPUBLIC.

November 3.

THE House proceeded to take into consideration the preliminary articles of peace between his majesty and the French republic, signed at London the 1st of October 1801. Sir Edward Hartopp moved, "That an humble address be presented to his majesty, to return his majesty the thanks of this House, for having been graciously pleased to lay before them a copy of the preliminaries of peace which have been ratified by his majesty and the French republic; and to assure his majesty, that having taken them into their most serious consideration, they reflect, with heartfelt gratitude, on the fresh proof which has been afforded on this occasion, of his majesty's paternal care for the welfare and happiness of his people, and contemplate with great satisfaction the prospect of a definitive treaty of peace, founded on conditions which, whilst they manifest his majesty's wisdom, moderation, and good faith, will, they trust, be productive of consequences highly advantageous to the substantial interests of the British empire." After the address had been supported by Mr. Lee, Lord Hawkesbury, Lord Castlereagh, Mr. Bankes, and Mr. Pitt, and opposed by Mr. Thomas Grenville and Earl Temple,

Mr. Fox rose and said:—At no time, Sir, since I have had the honour of being a member of this House, did I ever give my vote with more heartfelt pleasure than I shall do on the present occasion, in support of the preliminaries of peace between this country and the French republic. And I own, Sir, that I think his majesty's ministers and the mover of the address did very wisely in taking that moderate line, and in refraining from all those topics which might have diminished the satisfaction which gentlemen must feel in assenting to the motion now before us. Yet, Sir, for my own part, I have no hesitation in saying, that had even the word "honourable" been introduced into the vote, I should not have declined assenting to it; for I will be bold to say, that unless the peace be honourable it ought not to come before us. Whether the epithets safe and honourable be convertible, I will not now inquire; but of this I am sure, that among individuals, and much more among nations, honour is the most essential means of safety, as it is the first, and I had almost said the only legitimate ground of war. With regard to another term made use of by the noble lord, I cannot so readily agree with him. I cannot conceive how the term glorious peace could be applied. A glorious peace can only ensue from a glorious war, and such an epithet I never can apply to the late war.

Those who have argued the subject before me have very fairly divided it into two heads: 1. Whether this peace be preferable to a continuance of the war? this is certainly the most material point: and 2. Whether a better peace could have been obtained? The last point cannot easily be ascertained. If we could have had a better peace without running the risk of continuing the war, his majesty's ministers would undoubtedly have been very blameable in not making a better. But I should like to have it proved to me, how ministers could have made a better. Sir, I was glad to hear the noble lord, whose speech I admired so much in all the main points of it, lay down that liberal system of policy, that what is gained does not of itself make peace so much the better; nor what is not gained, make it so much the worse. We have gained Ceylon and Trinidad; valuable acquisitions both. We have not gained the Cape, and I am not one of those who regret that we have not, for, from its destination we shall have all the benefits of that possession without any of the expence of it. Perhaps, Sir, I do not agree with the honourable gentleman, who considers any acquisitions in the Mediterranean as secondary and subordinate points to Ceylon and Trinidad. The noble lord, considering the subject in a commercial point of view, says

the Dutch did not possess Minorca, and yet they carried on the principal part of the Levant trade. But it is not in this point of view that I contemplate the question. Desiring peace most ardently, and thinking and hoping it may be a lasting one, I still cannot put entirely out of my consideration the possibility of future wars between the two countries. In any such event, surely Malta would be a more important possession than either Ceylon or Trinidad.

From this digression I return to the question, Why are we to suppose that better terms of peace could have been obtained? I wish to know, Sir, what pressure could have been made upon France that would have induced her to consent to better terms. And here I cannot help repeating, that though I admired much of the noble lord's speech, the part I most admired was that in which he applied the epithet "unsatisfactory;" an epithet chosen with singular felicity to the state of the continent, fairly confessing at the same time, that nothing gave him any reasonable hope of much mending it. But it has been urged, that France could not hurt this country. Not hurt it! That nothing can be more chimerical than the project of invading this country, I am as firmly convinced as any man can be. But are there not many other points which, at this late hour of the night, I will not discuss? Is there any man so blindly fond of the union with Ireland, so widely satisfied with the measures that have been adopted with respect to that country, as to say that the danger of a French force being in Ireland is not at least greater than the danger of an English force landing in France? The only question then is, whether by pressure of war we could prevail upon France to cede to us Malta or the Cape? Could we have prevailed upon her by pressure upon her colonies? No, for that had been already done. By pressure upon the European territory of France? That idea is absurd. By pressure upon her finances? Here, Sir, I cannot but admire the judicious conduct of his majesty's ministers. They have not sought to delude us by the jargon of their predecessors, and by senseless assertions of the French being on the brink, and in the very gulph of bankruptcy. They had too much good sense to do it. They adopted another mode of conduct. They well knew, that, by insisting upon Malta or the Cape, they must have made peace on less dignified terms, or they must have continued the war. That we might have gone on with the contest, I am not prepared to deny. I am not blind to the resources of the country. I see one resource while I am speaking. The income-tax is only mortgaged for fifty-five millions of debt. It might have been mortgaged for as much more; but these resources, says the noble lord,

and justly, ought to be reserved for the defence of our honour and our independence. I come, then, to this conclusion, that there was little probability of our gaining better terms of peace.

I proceed next to the question, Whether we ought to have accepted these terms, or to have continued the war? I know a noble earl who sits on the same side of the House with myself, has called the peace a complete surrender, a capitulation of our safety; but yet, in the progress of that noble earl's speech, I discovered that he begged to be understood as not preferring another year of war to what he calls this complete surrender. Sir, it happens to many gentlemen, in the heat and hurry of argument, to be guilty of a little oratorical exaggeration. The expression of the noble earl seems to me to be of that description. I confess, Sir, I thought myself to be the last person to contemplate another year of war. But I now find I am absolutely warlike, compared with that noble earl. Yet though I cannot go so far as he does, I am still of opinion that another year of war would have been dreadful. Let me put one or two plain questions to the House. Let me ask every man who hears me, what has been the state of the poor for the two last years? What have we seen throughout the country, in every town and parish? We have seen the poor depending upon alms. We have seen the mass of the people living upon charity, all levelled by the most dangerous equality, an equality of claims to be fed; claims destroying true charity — Charity do I call it? Sir, one of the worst features of the present times is, that charity loses almost its nature. The claims were irresistible. The miser felt it his indispensable interest to give, as well as the humane. The industrious and the idle, the honest and the dissolute, were all to be fed alike; for, however you might prefer relieving the former, you could not suffer the latter to perish. I think I shall not at this time of day be told, that this evil was unconnected with the war. Have not the events of the last three months established that connection. We have had a most abundant harvest, as well got in as it was plentiful in its produce. I know it did reduce the price of grain, and, in some degree, the prices of other kinds of provision. But we saw that the prices began afterwards to rise again, probably because the fall had been more rapid than was natural. But what was the effect as soon as peace came? The fall from that time was much more rapid and considerable than it had been from the period of the harvest to the peace. Let gentlemen contemplate this picture. Let them say whether the outlines of it be not correct, and then let me ask them, can any man doubt, under such circumstances, whether it be not

better for the people to eat, than that we should possess the Cape, or even Malta, could we have gained them at such a price? Another question I would ask is, whether gentlemen ever remember any event that was received with so much joy as the peace with France? But I may be told, that that joy was much greater among the lower classes of the people. Be it so, for the sake of argument. Why, then, I say, that this is only an additional proof of their having connected in their minds the idea of plenty with the prospect of peace. But it is added, that this popular joy was indiscriminating, and that the people never stopped to inquire about the terms. Most correctly true, I believe, is this assertion. But what does it prove? It only proves that the people were so goaded by the war, that they preferred peace almost upon any terms.

Sir, there are many persons who think and lament that the peace is a glorious one for France. If the peace be glorious for France, without being inglorious to England, it will not give me any concern that it is so. Upon this point, the feelings and opinions of men must depend in a great measure upon their conceptions of the causes of the war. If one of the objects of the war was the restoration of the antient despotism of France, than which I defy any man to produce in the history of the world a more accursed one; if, I say, that was one of the objects of the war, why then, I say, it is to me an additional recommendation of the peace, that it has been obtained without the accomplishment of such an object. My undisguised opinion is, that if the coalition for the restoration of the Bourbons had succeeded, the consequences would have been amongst all the kings of Europe a perpetual guarantee against all people who might be oppressed by any of them in any part of the world. All countries, therefore, must be benefited by the failure of such a project, but none more so than Great Britain. To the people of this country the consequences would have been fatal. Refer to the page of history. Had the coalition in the reign of Charles I. established such a guarantee, would the liberties of the people have been preserved against the house of Stuart, or would Hampden have gained the immortal victory he did? To come lower down: had such a guarantee existed in later times, would the Revolution of 1688 have been able to maintain itself? I say, therefore, that there could not have been any greater misfortune to the world than the success of that coalition for restoring the Bourbons to the crown of France.

Sir, the noble lord, to whom I have had such frequent occasion to allude, does not, I am sure, expect me to agree with him in opinion upon the earlier periods of the war. Upon those periods, and upon the situation of France at that

time, I differ with him directly. I have always conceived that we carried on a war against the freedom and independence of France. Sir, I know I shall be told that France was the first to declare war; but this I contend is no proof of her having been the aggressor. We refused to hear an authorised negociator who was sent to us; we took no steps to procure reparation or disavowal of the acts complained of; and all writers that I have ever read upon the law of nations, agree that the country which refuses to hear what another has to propose, is to be considered the aggressor. The right honourable gentleman who has just sat down, (Mr. Pitt,) has urged it as a maxim, and I am not prepared to deny it, that whenever the executive government places us at peace with another country, we are bound to speak with decency of the government of that country. If this be true with respect to the conduct we ought to adopt after peace is made, is it not equally our duty to abstain from harsh and insulting language before war is declared? Let gentlemen recollect the language of that right honourable gentleman in December 1792. Let them remember what inflammatory topics he urged, what invectives he made use of at the very time he was proposing that we should abide by our system of neutrality.

Sir, the pretended grounds of the war were the navigation of the Schelde, the decree of the 19th of November, and other acts of the French government. With respect to Holland, it was no *casus fœderis*, for she did not desire your assistance. And here, Sir, let me remind the House, that one of the indemnities we have obtained for that war, is from that very ally whom we pretended we entered into the war to defend. But, for my own part, I must confess that I always understood the object of the war to be the restoration of the house of Bourbon. Not that I mean to say that it was the *sine quâ non*; but I contend that they avowed it with confidence, prosecuted it with perseverance, adhered to it with pertinacity, and relinquished it with difficulty. But they now affirm, that, not being able to obtain what they wished, they contented themselves with securing what they could; that they had a second best object, a succedaneum to put up in case of necessity. Yet who amongst us ever thought that that succedaneum, that second best object, was Ceylon and Trinidad? Whoever imagined that they who had held forth such mighty objects, would ever have admitted the acquisition of an island in the east and in the west to be that "indemnity for the past and security for the future," for which they had so obstinately and loudly insisted?

I come now, Sir, to the third division of the question:—the subject of guaranties. Suppose you had got, says the right

honourable gentleman, a guaranty for Naples or for Piedmont, how would you have enforced it? I admit the justice of his conclusion; but surely I had no right to expect this from the "Deliverer of Europe." I had no right to expect that he, of all men living, would have argued against our interfering in favour of Naples or of Piedmont, because we had not the means of doing it successfully.

I have now, I hope, sufficiently convinced the House, that in the terms and tone of the treaty I perfectly coincide with the noble lord. I approve of the terms. I think the noble secretary has very wisely tempered firmness of conduct with moderation of tone. But further than this I cannot go with him. I cannot agree with him upon the time in which the treaty was made. It comes, in my opinion, many, many years too late. I would put it to the House, whether, at the period when we were most railed at and reviled for advising pacific measures, any man supposes for a moment that peace would not have been made upon terms equally advantageous with these? Does any man doubt that France, upon the breaking out of the war, would have acceded to much better terms? Does any man doubt that she would then have relinquished Holland, and perhaps abandoned even her designs upon the Netherlands? Would she not have given us better terms, both in the East Indies and the West? I urge this, Sir, with the more earnestness, in order to repel the idea of our being forced into the war. I know there were some gentlemen who admitted that she did not wish to commence hostilities with us at that time, and who told us, that she meant only to give us the privilege of being devoured the last. But might we not, I repeat, at every period since, have obtained better terms of peace than we have done? Could we not have negociated with more effect after the surrender of Valenciennes? At length a new government was established, and a negociation was entered into at Paris. That negociation failed, from the extravagant pretensions of his majesty's ministers. A second negociation was afterwards begun at Lisle. Whatever may have been said of that negociation, I would ask, how could we hope for success from it, when it now appears that the sentiments of the members of the cabinet were so various and so opposite? when we find that one of those ministers now thinks that peace to be a good one which gives up the Cape; a possession which, another minister contended, could not be abandoned without committing a crime deserving the severest punishment. But that negociation, we have been told, was entered into, not so much from any pacific inclination on the part of his majesty's ministers, as in compliance with the sentiments of the public. We have more

than once heard them rejoice in its failure, and avow that they recurred to it for the purpose of facilitating the adoption of a solid system of finance. Such a motive operates now no longer. At length, in January 1800, the Chief Consul of France makes a direct overture of peace. What answer did we return? Why, that the most effectual mode of facilitating peace would be to restore the Bourbons; that, indeed, was not the only means, but it was left to the French government to suggest any other. Was it the most likely method to prove our pacific wishes to ask Bonaparte to cut his own throat; for the first effect of the restoration of the Bourbons would, in all probability, have been the sacrifice of his life? But were the other means at which we hinted, the possession of Ceylon and Trinidad? Would not Bonaparte at that time have given us up both these islands — aye, and the Cape into the bargain? We might then have had Egypt by the convention of El-Arisch. The gallant Abercrombie would not, indeed, have fallen covered with laurels in the lap of victory, nor would our brave army have acquired such immortal honour; but we should at least have had Egypt without the loss of blood or of treasure. And what would then have been the case in Europe? The chief consul might not perhaps have relinquished the Netherlands, nor the left bank of the Rhine. But in Italy he had only the Genoese territory: we had nothing then to resist to the south-eastward of the Alps, and the forces of our allies were victorious to the frontiers of France. Then did the right honourable gentleman ransack the English language for epithets of severity and invective against the man whom he now contends we ought to treat with such decorum. But here I must do that right honourable gentleman the justice to acknowledge, that he confessed he indulged in that invective because it pleased him, but that it would be no obstruction in his mind to any other negociation which circumstances might render it proper to enter into with him. At that time the consideration of the want of the stability of the government operated with considerable power. I urged then, and still urge, that the question of the stability or instability of the government ought not to be treated as of great consequence. I recalled to the recollection of the House, that none of the convulsions or changes of the French Revolution, none of the shocks and contentions of the different parties, had produced any material alteration in the relations which France established with foreign powers. She had, at an early period, made peace with Prussia, and with that power she sedulously preserved that peace during all the stormy times that succeeded the ratification of it. But, Sir, we were told by his majesty's ministers to pause. We

did pause from January 1800 to October 1801, and we have added 73 million of debt since the impertinent answer, for I can call it by no other name, returned to the overtures of the chief consul. In other words, Sir, we have added as much to our national debt in that short period, as the whole of our debt consisted of from the period of the Revolution to the seven years' war. This pause of his majesty's ministers cost five times as much as all the Duke of Marlborough's campaigns.

But it is said, that the case was altered by the defection of our allies; and the noble lord asks us, whether we would trust to the chance of reviving a third coalition, and the consequent expenditure of blood and treasure? Sir, I say the experience of the first coalition would have been quite sufficient to have deterred me from attempting any other, and the argument would have applied with as much strength many years ago, as it does at the present moment. The noble lord next alludes to the principles and power of France. For my own part, I never had much dread of French principles, though I certainly have no slight apprehension of French power. Of the influence of France upon the continent, I am as sensible as any man can be; but this is an effect which I do not impute to the peace but to the war. It is the right honourable gentleman himself who has been the greatest curse of the country by this aggrandisement of France. To France we may apply what that gentleman applied formerly on another occasion — we may say,

> Me Tenedon, Chrysenque, et Cyllan Apollinis urbes,
> Et Scyron cepisse.

He is the great prominent cause of all this greatness of the French republic. How did we come into this situation? By maintaining a war upon grounds originally unjust. It was this that excited a spirit of proud independence on the part of the enemy: it was this that lent him such resistless vigour: it was this that gave them energy and spirit, that roused them to such efforts, that inspired them with a patriotism and a zeal which no opposition could check, and no resistance subdue.

If I am asked what my opinion is of the future, my reply is, that, to put us in complete enjoyment of the blessings of peace, small establishments alone are necessary. It is by commercial pursuits and resources that we must attempt to compensate for the aggrandisement of our antient rival: to cope with him in large establishments, in expensive navies and armies, will be the surest way to unnerve our efforts and diminish our means. Sir, I am not sanguine enough, though I think and hope the peace will be lasting, to calculate on a

seventy years' peace. But still I am sanguine to a certain degree in my expectations, that the new state of France will turn the disposition of her people to a less hostile mind towards this country. I do think that Bonaparte's government is less likely to be adverse to Great Britain than the house of Bourbon was. God forbid that I should insult a fallen family; but the interests of my country compel me to say, that the chief consul cannot have a more inveterate spirit, and a more determined hostility towards us, than the house of Bourbon had. It has been said with truth, that the trade of France has been nearly annihilated; but I believe, the accounts from the interior of France do not represent her to be in a desolate state; and for Heaven's sake let us not forget, that the Revolution has produced the effect of removing many of those internal grievances under which France groaned under the old government. It has abolished the corvées, a most vexatious tax; the feudalities, the odious and unjust immunities of the rich from the payment of taxes; it has abolished the privileges of the nobility, not those privileges which place the nobility as a barrier between the crown and the people, but those privileges which enabled them to tyrannise over and oppress their inferiors:—in a word, the French have made those reforms which we did two centuries ago.

Sir, for my own part, I cannot help thinking that the encouragement given to the arts and sciences, the increasing patronage in France of agriculture and of commerce, will make the minds of the people more pacific. It is a notorious fact, that the joy with which the French received the communication of the peace, was quite as great and as sincere as it was in this country. The chief consul well knew, that in making peace he fulfilled the desires of the people whom he governs, as much as his majesty's ministers accomplished the wishes of the people of England. What, then, remains to be considered, but this affair of commerce? Many persons are fearful that our commerce will suffer from the competition of France. I have no such fears. As far as our trade can be attacked by the rivalship of France, I think that rivalship will do us good. If, as some of you think, the weight of our taxation will enable France to rival us, is not that, I would ask, an additional argument in favour of peace?

The right honourable gentleman who spoke last, alludes to the principles and power of France. Of the former he is no longer afraid, though he is of the latter. If this be the case, is it not rather strange that he should think of assailing principles by guns and pikes and cannon; but that, when he is afraid of the power of France, he would make peace?

Sir, principles never were, and never will be annihilated by force. I never had so much dread as some gentlemen had of French principles. I never conceived that they would have much influence in this country. I never thought that Paris, under the dominion of Robespierre, held out a very inviting example to the British capital. Sir, the French Revolution was calculated to fix men's minds more eagerly upon the question of liberty. But, was the sword the best means of opposing it? Disgrace and defeat might have tended to weaken it in the opinion of many, but victory and glory only gave it additional currency and credit with the great mass of the people.

I proceed now to a subject connected with our domestic situation; I mean Ireland, which one noble lord seems to think has been treated with a delicate hand. Of the union with Ireland I will not at this late hour enter into an investigation; time will best shew whether it be likely to strengthen the connection between the two countries. But when we hear of this mixture of delicacy and firmness, let me ask what delicacy there was in the burnings and massacres? The noble lord has been incautious in the selection of his words; he has spoken of indulgencies to be granted to the people in consequence of the peace. Is the substitution of common law for martial law, or the restoration of the habeas corpus, to be considered as an indulgence? Sir, there were times in which these were considered as sacred pillars of the constitution, not as indulgencies. If they are restored to vigour, I shall receive them as a right. I cannot be grateful for them as a boon.

Sir, I have nothing more to say, but to thank the House for the attention with which they have honoured me, and to beg pardon for having trespassed on them so long. I rejoice at the peace — cordially, sincerely, heartily rejoice at it. I hope it will be lasting. I believe it will; but to the last hour of my life I shall never cease lamenting that it was not made years ago, when we might perhaps have had better terms, but when we could certainly have had as good as those which have been submitted to us this day.

The address was agreed to without a division.

CHARACTER OF THE DUKE OF BEDFORD.

March 16. 1802.

ON the 2nd of March 1802, died Francis Duke of Bedford. His great endowments, and the premature termination of a life, the latter part of which was almost entirely devoted to the very popular pursuit of improving the system of the rural economy of his country, caused a very strong degree of interest to be universally felt on that melancholy event. During his life, as a public character, he was connected with Mr. Fox, to whose political principles and conduct he was most warmly attached, and by which he was invariably guided. On the 16th of the same month, Mr. Fox, in moving a new writ for the borough of Tavistock, vacated by Lord John Russell, who had succeeded to his deceased brother's titles, took occasion to make an animated eulogium on his departed friend.

Mr. Fox spoke nearly as follows *:

If the sad event which has recently occurred were only a private misfortune, however heavy, I should feel the impropriety of obtruding upon the House the feelings of private friendship, and would have sought some other opportunity of expressing those sentiments of gratitude and affection, which must be ever due from me to the memory of the excellent person, whose loss gives occasion to the sort of motion of course which I am about to make to the House. It is because I consider the death of the Duke of Bedford as a great public calamity, because the public itself seems to consider it; because, not in this town only, but in every part of the kingdom, the impression made by it seems to be the strongest, and most universal, that ever appeared upon the loss of a subject; it is for these reasons that I presume to hope for the indulgence of the House, if I deviate, in some degree, from the common course, and introduce my motion in a manner which I must confess to be unusual on similar occasions.

At the same time, I trust, Sir, that I shall not be suspected of any intention to abuse the indulgence which I ask, by dwelling with the fondness of friendship, upon the various excellencies of the character to which I have alluded, much

* This speech was printed in the Monthly Magazine for April 1802, from Mr. Fox's own manuscript. On presenting it to the proprietor of that publication, Mr. Fox observed, "that he had never before attempted to make a copy of any speech which he had delivered in public."

less by entering into a history of the several events of his life which might serve to illustrate it. There was something in that character so peculiar and striking, and the just admiration which his virtues commanded was such, that to expatiate upon them in any detail is as unnecessary as, upon this occasion, it would be improper. That he has been much lamented and generally, cannot be wondered at, for surely there never was a more just occasion of public sorrow. To lose such a man! —at such a time! —so unexpectedly! —The particular stage of his life too in which we lost him, must add to every feeling of regret, and make the disappointment more severe and poignant to all thinking minds. Had he fallen at an earlier period, the public, to whom he could then (comparatively speaking at least) be but little known, would rather have compassionated and condoled with the feelings of his friends and relations, than have been themselves very severely afflicted by the loss. It would have been suggested, and even we who were the most partial must have admitted, that the expectations raised by the dawn are not always realized in the meridian of life. If the fatal event had been postponed, the calamity might have been alleviated by the consideration, that mankind could not have looked forward for any length of time to the exercises of his virtues and talents. But he was snatched away at a moment when society might have been expected to be long benefited by his benevolence, his energy, and his wisdom; when we had obtained a full certainty that the progress of his life would be more than answerable to the brightest hopes conceived from its outset; and when it might have been reasonably hoped, that, after having accomplished all the good of which it was capable, he would have descended not immaturely into the tomb. He had, on the one hand, lived long enough to have his character fully confirmed and established, while, on the other, what remained of life seemed, according to all human expectations, to afford ample space and scope for the exercise of the virtues of which that character was composed. The tree was old enough to enable us to ascertain the quality of the fruit which it would bear, and, at the same time, young enough to promise many years of produce.

The high rank and splendid fortune of the great man of whom I am speaking, though not circumstances which in themselves either can or ought to conciliate the regard and esteem of rational minds, are yet in so far considerable as an elevated situation, by making him who is so placed in it more powerful and conspicuous, causes his virtues or vices to be more useful or injurious to society. In this case, the rank and wealth of the person are to be attended to in another and

a very different point of view. To appreciate his merits justly, we must consider not only the advantages, but the disadvantages, connected with such circumstances. The dangers attending prosperity in general, and high situations in particular, the corrupting influence of flattery, to which men in such situations are more peculiarly exposed, have been the theme of moralists in all ages, and in all nations; but how are these dangers increased with respect to him who succeeds in his childhood to the first rank and fortune in a kingdom, such as this, and who, having lost his parents, is never approached by any being who is not represented to him as in some degree his inferior! Unless blessed with a heart uncommonly susceptible and disposed to virtue, how should he, who had scarce ever seen an equal, have a common feeling and a just sympathy for the rest of mankind, who seem to have been formed rather *for* him, and as instruments of his gratification, than together *with* him for the general purposes of nature? Justly has the Roman satirist remarked,

> Rarus enim fermè sensus communis in illâ
> Fortunâ. ——

This was precisely the case of the Duke of Bedford, nor do I know that his education was perfectly exempt from the defects usually belonging to such situations; but virtue found her own way, and on the very side where the danger was the greatest, was her triumph most complete. From the blame of selfishness no man was ever so eminently free. No man put his own gratification so low, that of others so high, in his estimation. To contribute to the welfare of his fellow citizens was the constant pursuit of his life, by his example and his beneficence to render them better, wiser, and happier. He truly loved the public; but not only the public, according to the usual acceptation of the word; not merely the body corporate, (if I may so express myself,) which bears that name, but Man in his individual capacity; all who came within his notice and deserved his protection, were objects of his generous concern. From his station, the sphere of his acquaintance was larger than that of most other men; yet in this extended circle, few, very few, could be counted to whom he had not found some occasion to be serviceable. To be useful, whether to the public at large, whether to his relations and nearer friends, or even to any individual of his species, was the ruling passion of his life.

He died, it is true, in a state of celibacy; but if they may be called a man's children whose concerns are as dear to him as his own — to protect whom from evil is the daily object of his care — to promote whose welfare he exerts every faculty of which he is possessed; if such, I say, are to be esteemed our

children, no man had ever a more numerous family than the Duke of Bedford.

Private friendships are not, I own, a fit topic for this House, or any public assembly; but it is difficult for any one who had the honour and happiness to be his friend, not to advert (when speaking of such a man) to his conduct and behaviour in that interesting character. In his friendship, not only was he disinterested and sincere, but in him were to be found united all the characteristic excellencies which have ever distinguished the men most renowned for that most amiable of all virtues. Some are warm, but volatile and inconstant; he was warm too, but steady and unchangeable. Never once was he known to violate any of the duties of that sacred relation. Where his attachment was placed, there it remained, or rather there it grew; for it may be more truly said of this man than of any other that ever existed, that if he loved you at the beginning of the year, and you did nothing to forfeit his esteem, he would love you still more at the end of it. Such was the uniformly progressive state of his affections, no less than of his virtue and wisdom.

It has happened to many, and he was certainly one of the number, to grow wiser as they advanced in years. Some have even improved in virtue; but it has generally been in that class of virtues only which consists in resisting the allurements of vice; and too often have these advantages been counterbalanced by the loss, or at least the diminution, of that openness of heart, that warmth of feeling, that readiness of sympathy, that generosity of spirit, which have been reckoned among the characteristic attributes of youth. In his case it was far otherwise; endued by nature with an unexampled firmness of character, he could bring his mind to a more complete state of discipline than any man I ever knew. But he had, at the same time, such a comprehensive and just view of all moral questions, that he well knew to distinguish between those inclinations which, if indulged, must be pernicious, and the feelings which, if cultivated, might prove beneficial to mankind. All bad propensities, therefore, if any such he had, he completely conquered and suppressed, while, on the other hand, no man ever studied the trade by which he was to get his bread — the profession by which he hoped to rise to wealth and honour — nor even the higher arts of poetry or eloquence, in pursuit of a fancied immortality, with more zeal and ardour than this excellent person cultivated the noble art of doing good to his fellow-creatures. In this pursuit, above all others, diligence is sure of success, and accordingly it would be difficult to find an example of any other man to whom so many individuals

are indebted for happiness or comfort, or to whom the public at large owe more essential obligations.

So far was he from slackening or growing cold in these generous pursuits, that the only danger was, lest, notwithstanding his admirable good sense, and that remarkable soberness of character which distinguished him, his munificence might, if he had lived, have engaged him in expences to which even his princely fortune would have been found inadequate. Thus, the only circumstance like a failing in this great character was, that, while indulging his darling passion for making himself useful to others, he might be too regardless of future consequences to himself and to his family. The love of utility was indeed his darling, his ruling passion. Even in his recreations, (and he was by no means naturally averse to such as were suitable to his station in life,) no less than in his graver hours, he so much loved to keep this grand object in view, that he seemed, by degrees, to grow weary of every amusement which was not in some degree connected with it. Agriculture he judged rightly to be the most useful of all sciences, and, more particularly in the present state of affairs, he conceived it to be the department in which his services to his country might be most beneficial. To agriculture, therefore, he principally applied himself; nor can it be doubted, but, with his great capacity, activity, and energy, he must have attained his object, and made himself eminently useful in that most important branch of political economy. Of the particular degree of his merit in this respect, how much the public is already indebted to him—how much benefit it may still expect to derive from the effects of his unwearied diligence and splendid example, many members of this House can form a much more accurate judgment than I can pretend to. But of his motive to these exertions I am competent to judge, and can affirm, without a doubt, that it was the same which actuated him throughout—an ardent desire to employ his faculties in the way, whatever it might be, in which he could most contribute to the good of his country, and the general interests of mankind.

With regard to his politics, I feel a great unwillingness to be wholly silent on the subject; and at the same time much difficulty in treating it with propriety, when I consider to whom I am addressing myself. I am sensible that those principles upon which, in any other place, I should not hesitate to pronounce an unqualified eulogium, may be thought by some, perhaps by the majority of this House, rather to stand in need of apology and exculpation, than to form a proper subject for panegyric. But, even in this view, I may be allowed to offer a few words in favour of my departed friend. I believe few, if any of us, are so infatuated with the extreme

notions of philosophy as not to feel a partial veneration for the principles, some leaning even to the prejudices of the ancestors, especially if they were of any note, from whom we are respectively descended. Such biasses are always, as I suspect, favourable to the cause of patriotism and public virtue. I am sure, at least, that in Athens and Rome they were so considered. No man had ever less of family pride, in the bad sense, than the Duke of Bedford; but he had a great and just respect for his ancestors. Now if, upon the principle to which I have alluded, it was in Rome thought excusable in one of the Claudii to have, in conformity with the general manners of their race, something too much of an aristocratical pride and haughtiness, surely in this country it is not unpardonable in a Russell to be zealously attached to the rights of the subject, and peculiarly tenacious of the popular parts of the constitution. It is excusable, at least, in one who numbers among his ancestors the great Earl of Bedford, the patron of Pym, and the friend of Hampden, to be an enthusiastic lover of liberty; nor is it to be wondered at if a descendant of Lord Russell should feel more than common horror for arbitrary power, and a quick, perhaps even a jealous discernment of any approach or tendency in the system of government to that dreaded evil. But whatever may be our differences in regard to principles, I trust there is no member of this House who is not liberal enough to do justice to upright conduct, even in a political adversary. Whatever, therefore, may be thought of those principles to which I have alluded, the political conduct of my much lamented friend must be allowed by all to have been manly, consistent, and sincere.

It now remains for me to touch upon the last melancholy scene in which this excellent man was to be exhibited; and to all those who admire his character, let it be some consolation that his death was in every respect conformable to his life. I have already noticed, that prosperity could not corrupt him. He had now to undergo a trial of an opposite nature. But in every instance he was alike true to his character; and in moments of extreme bodily pain and approaching dissolution, when it might be expected that a man's every feeling would be concentrated in his personal sufferings —his every thought occupied by the awful event impending— even in these moments, he put by all selfish considerations; kindness to his friends was the sentiment still uppermost in his mind; and he employed himself, to the last hour of his life, in making the most considerate arrangements for the happiness and comfort of those who were to survive him. While in the enjoyment of prosperity, he had learned and

practised all those milder virtues which adversity alone is supposed capable of teaching; and, in the hour of pain and approaching death, he had that calmness and serenity which are thought to belong exclusively to health of body, and a mind at ease.

If I have taken an unusual, and possibly an irregular course upon this extraordinary occasion, I am confident the House will pardon me. They will forgive something, no doubt, to the warmth of private friendship — to sentiments of gratitude, which I must feel, and whenever I have an opportunity, must express to the latest hour of my life. But the consideration of public utility, to which I have so much adverted as the ruling principle in the mind of my friend, will weigh far more with them. They will in their wisdom acknowledge, that to celebrate and perpetuate the memory of great and meritorious individuals, is in effect an essential service to the community. It was not, therefore, for the purpose of performing the pious office of friendship, by fondly strewing flowers upon his tomb, that I have drawn your attention to the character of the Duke of Bedford: the motive that actuates me, is one more suitable to what were his views. It is, that this great character may be strongly impressed upon the minds of all who hear me — that they may see it — that they may feel it — that they may discourse of it in their domestic circles — that they may speak of it to their children, and hold it up to the imitation of posterity. If he could now be sensible to what passes here below — sure I am, that nothing could give him so much satisfaction as to find that we are endeavouring to make his memory an example, as he took care his life should be — useful to mankind.

I will conclude, with applying to the present occasion, a beautiful passage from the speech of a very young orator*. It may be thought, perhaps, to savour too much of the sanguine views of youth, to stand the test of a rigid philosophical inquiry; but it is at least cheering and consolatory, and that in this instance it may be exemplified, is, I am confident, the sincere wish of every man who hears me. "Crime," says he, "is a curse only to the period in which it is successful; but virtue, whether fortunate or otherwise, blesses not only its own age, but remotest posterity, and is as beneficial by its example, as by its immediate effect."

Mr. Fox then moved, "That Mr. Speaker do issue his war-

* Essay on the Progressive Improvements of Mankind; an oration delivered in the chapel of Trinity College, Cambridge, December 17, 1798, by the Honourable William Lamb.

rant to the clerk of the crown, to make out a new writ, for the electing of a burgess to serve in this present parliament, for the borough of Tavistock, in the county of Devon, in the room of the Right Hon. John Russell, commonly called Lord John Russell, now Duke of Bedford, called up to the House of Peers."

Arrears of the Civil List.

March 29.

MR. Addington, the chancellor of the exchequer, having this day moved in a committee of supply, "That it is the opinion of this committee that a sum not exceeding 990,053*l.* be granted to his majesty to discharge the arrears and debts due and owing upon the civil list on the fifth of January 1802,"

Mr. Fox rose and said:—Sir, there is no man in this House less disposed than I feel myself, at any time, to find fault with such measures as may be conducive to the comfort, the splendour, and the dignity of every branch of the royal family; and particularly what may tend to the ease and happiness of the chief magistrate of the state, as far as I can reconcile such proceedings to the duty I owe to my own constituents in particular, and the general interests of the country. If it could be supposed that humour or temper were to govern any part of this discussion, the present is a moment in which I could have little disposition to indulge them. I have not been more than about four hours in town; and, since leaving my carriage, have heard of two articles of news than which I know of nothing of a public nature that could be more grateful to my feelings. The first is that in which every man, wishing well to his country, must rejoice, I mean the conclusion of the definitive treaty of peace with France; and the second, that it is the intention of the minister to move for the repeal of the income-tax,—a tax the most oppressive, pernicious, and vexatious, that ever was imposed in any country; and tending more than any other to subvert that respect in which a good government ought always to be held by the people, and without which there can be very little security for its subsisting for any length of time. This, however, is a subject which is by no means connected with good or ill humour, and is solely dependent on what is consistent with our attachment to the throne, a proper view to the laws of the land, and the sacred principles of the British constitution.

However I may have been instructed or entertained by the right honourable gentleman, in the history he has given us of the civil list during the last century, I do not conceive it to have been precisely in point, or to bear strongly on the present question. My ideas upon that subject differ vastly from those which have been brought forward in this committee; nor can I conceive how any thing respecting the revenues of the crown, previously to the Revolution, has more analogy to the present civil list than what may be drawn from the remotest antiquity. The revenues of the crown before the event alluded to, compared with the present civil list, was as gold to silver. The king certainly possessed immense revenues in former times, totally independent of parliament: but for this revenue, what had he to do? He was to raise and maintain fleets and armies in times of war, as well as in peace. It was no private income of his own, as an individual, but a trust from the public. It is very true, that such revenue was not adequate to meet extraordinary occasions; and though the monarch was bound, at his own expence, to defend the country, and maintain the expences of wars, as well as civil government, in cases of necessity he applied to parliament for assistance. Whether that mode was preferable to that which has been since adopted, is a question not worth discussing at this moment; but I am free to confess, that I am a strong advocate in favour of the modern system. Now, however, that the House and the country provide for all the expences (and God knows they have been severe enough lately!) of our fleets and armies, the revenues allotted to the crown must necessarily be at the disposition, and subject to the controul of parliament. It would be a strange and absurd doctrine indeed, to maintain that the public should take upon itself all the expence, and leave the revenue precisely as it was before: such a doctrine is too monstrous to have met with any support even in the worst of times. Fortunately for us, some of our kings have been too improvident, by which they outran their incomes.

In treating of this question I do not wish to be severe; but I understand, that so much stress has lately been made on the claims which some persons suppose the crown ought still to have upon a part at least, if not the whole of the old hereditary revenue, that I cannot withhold expressing briefly my opinion on that subject. Were we now to allow the hereditary revenue to be the same as it was in former times, surely no gentleman could possibly say that it should be applied to the purposes of the civil list only. I admit that the revenue of James II. was two millions annually; but I

believe no one will venture to assert that it was granted only for civil-list purposes. From the time, however, that parliament exonerated the crown (for that is the fact) from the expence of levying and supporting fleets and armies, from that moment the hereditary revenues became the property of the public. It was so understood and so expressed on the election of William III. He could hold no hereditary revenue *jure coronæ*, for he was not the heir to the crown when he succeeded James II. I am aware that a great misunderstanding prevailed upon this subject, and perhaps continues to prevail; but we are not now infected with the superstitious notions imbibed by some persons of that day. We know that William III. ascended the throne, not by right, but by the choice and election of the people, and therefore had no rights *jure coronæ*, nor any other rights but such as had been covenanted. So of George III. He is not the heir of James II., but of William III.; nor has he any right to this hereditary revenue, unless we go back to the ancient and absolute rights of prescription. What did the parliament of William III. do? Instead of the hereditary revenue they appropriated others for the civil list, to the amount of 700,000*l.* a year; and should they exceed that sum, the surplus was to be at the disposal of parliament. From the sum of 700,000*l.* they deducted 370,000*l.* for public services; decreed that the crown revenues should be under their own controul; and came to what I consider to have been a wise and salutary resolution, of granting it to him for life. The same practice has since been uniformly adopted at the commencement of every reign. I know perfectly well that there has been much difference of opinion on the question, whether it would not be better to make these grants of annual revenue from time to time. This doubt, so far operated in the parliament of King William, that the provision was at first made temporary, but it was afterwards thought expedient that the provision should be for life. The same line of conduct was pursued on the accession of Queen Anne, and has been followed up in all the succeeding reigns. The right honourable gentleman has anticipated the answer which might be given to some parts of his statement. I know that it has been a mistake made, not by lawyers, or other well-informed persons, but by courtiers, that the hereditary revenue formed only a part of the revenue of the crown. From general recollection also (for I have not lately had much access to the Journals) I think that in the reign of Queen Anne an application was made to parliament in aid of the civil list, at a time when 800,000*l.* had been expended, though the grant was no more than 700,000*l.* Great stress has been

laid on the expences his majesty has been put to in consequence of his family: but let it be remembered, that there were equal incumbrances in the reign of George I.; that in the reign of George II. annuities to the Duke of Cumberland, the Princess Amelia, and the Dowager Princess of Wales, were charged upon the civil list to the amount of 100,000*l.* which, out of the grant of 700,000*l.* left only 600,000*l.* of actual revenue. It is true, that in that reign there were three applications to parliament for relieving the civil list; but I believe, and think I may say with some confidence, that the relief was effected by a two-penny tax on all pensions and salaries, which was, in fact, a mode of making the civil list supply and make good its own defalcations, without any additional burthens on the public. In the same reign there was a successful application to parliament at one particular period; but, if I mistake not, it was merely to make up the deficiency between the actual receipts of the revenue and 800,000*l.* which was about that time settled as the limit of the civil list. The right honourable gentleman has urged, that the civil list of his present majesty had been loaded with annuities to the Princess Amelia, the Duke of Cumberland, &c.; but if these were liens on the civil list in the present, they were equally so in the reign of George II. who had also to pay 100,000*l.* a year to the then Prince of Wales. These annuities continued from 1745 to 1760; the remainder of the civil list of his present majesty only for five; but George II. had paid them for the space of fifteen years. I mention this principally, because I do not esteem it altogether becoming in gentlemen to appear in this House, in the shape and manner of counsel, to depreciate the amount of the present revenues of the crown.

It is to be observed, that all those annuities which hung as incumbrances on the civil list of his present majesty, ceased in the year 1786; that to the Duke of Cumberland expired in 1765; that to the Dowager Princess of Wales in 1763; and that to the Princess Amelia in 1786; so that, in fact, the whole of them ceased before the debt now brought forward began to accumulate. The proposition, so much boasted of, which was made in the beginning of the present reign, would have been a good one, if properly followed up. By that proposal the king relinquished nothing, because, constitutionally, he had nothing to give up in point of right, there being no right in existence. All that was done may more properly be considered in the way of an exchange. His majesty, indeed, had a right to expect that parliament would make the same allowance to him that they did to his ancestors; but when a civil list of 800,000*l.* a year was granted

to his grandfather, it was implied that the excess, which was never very considerable, should be subject to the controul of parliament, and that he should possess no more income from the revenues of this country than what the parliament thought proper to allow him. The right honourable gentleman, in tracing the history of the civil list through the course of the present reign, might have called to mind, that it was settled under an administration composed of persons who were considered as his majesty's peculiar favourites. The Duke of Newcastle was then prime minister, and Lord Bute and the late Lord Chatham, secretaries of state. The right honourable gentleman seems to think the provision was less than it ought to be; but let me ask, is it to be believed that such an administration would ever have thought of proposing an inadequate revenue? But supposing they had done so, yet we must recollect, that the several annuities already mentioned were then so many incumbrances on the civil list; and yet we find that the debts it incurred in the first nine years amounted to no more than 500,000*l.* Though I was at that time a member of this House, I remember little of the discussion, and do not recollect that I was even present at the debate; but I recollect reading some pamphlets at that time published on the subject: one of these was written by a gentleman whose pursuits have since taken a more serious and holy turn — I mean Dr. Tucker, Dean of Gloucester, who treated the matter in a very facetious and good-humoured manner. In offering an apology for the proceedings, he said, that it was no extraordinary thing if a very young man, just come to his estate, and consequently not so prudent and economical as experience might in time teach him to be, and who had lately incurred the expences of matrimony, enhanced by fêtes, a coronation, installation, &c. — it was no very extraordinary thing if such a man, possessed of 800,000*l.* annually, should in nine years contract a debt of 500,000*l.* The debt first incurred was at the rate of 50,000*l.* a year beyond the income allotted. Parliament, it is true, consented to pay it; but, by doing so, acted, in the opinion of many persons, rather rashly. In the year 1777 the ministers came again with another demand; and it appeared that the debt had increased more within the eight years between 1769 and 1777, than it had done in the former nine years. The demand I now refer to was for the sum of 600,000*l.*; and though ministers were successful, yet the minority, which condemned the payment of the sum, was by no means insignificant in point of numbers, but still less so in respect to character and talents, as the committee will acknowledge when I enumerate among them Sir George Savile, Mr.

Burke, Lord Sydney, &c. I have frequently had occasion to be convinced, that the more parliament agrees to act (what, in the vulgar phrase, is called) handsomely by the monarch on the throne in pecuniary affairs, the worse effect is sure to flow from it; and I always feel great pleasure in recollecting the speech which the then Speaker of the House of Commons, Sir Fletcher Norton, made upon that occasion to his majesty at the bar of the House of Lords, May 7. 1777. That intrepid and public spirited man told the king, that "in a time of public distress, full of difficulty and danger, their constituents labouring under burdens almost too heavy to be borne; your faithful Commons have not only granted to your majesty a large present supply, but also a very great additional revenue; great beyond example; great beyond your majesty's highest expence; all this they have done in the well-grounded confidence that you will apply wisely what they have granted liberally *." But if Sir Fletcher Norton spoke thus of the distress and burdens of the country in 1777, what character can be given to those of the present day?

It reminds me, Sir, of the observation of Florus, who, living at a period when the Roman empire was so infinitely extended, reflects with surprise, that his ancestors allowed a triumph for victories over the Volsci; and, in the same manner, when we look back to the year 1777, when the public burdens were then spoken of as so grievous, and when we view the infinite accumulation of taxes since that period, we are tempted to compare it to the observation of Florus on the triumphs of the Romans over the Volsci, or some other petty tribes. The speech of Sir Fletcher Norton, notwithstanding the clamours of courtiers, was approved. Although court sycophancy has of late increased to a degree that must disgust every generous mind, although servility has made such rapid strides as, to every philosophic observer, evidently tends to the utter destruction of the constitution, yet we cannot forget the subserviency and sycophancy of former periods. Notwithstanding the resentment of the courtiers at the manly and spirited language of the Speaker, it was finally carried, on a motion brought forward by myself, to thank Sir Fletcher for his general conduct in the chair, and particularly for the speech in question †. This speech was made by a man of eminent qualities, eminent too in having filled the chair, a situation which of itself makes a man respectable; and within five years, during the adminis-

* See Vol. i. p. 85. † Ibid.

tration of the Marquis of Rockingham, (a period when peerages were more sparingly granted than in the times that have succeeded,) Sir Fletcher Norton was one of four persons who were honoured with that dignity. About this period, Mr. Burke, a man of the greatest abilities, of the most eminent services, a man for whom, notwithstanding latter differences, I have always retained the greatest veneration, brought forward a bill, the principle of which was, that the debts of the civil list were criminal; that when parliament had settled what the expenditure should be, any excess was disobedience; that it was the duty of the king's ministers to square the expence of the civil list by what parliament had fixed, not the business of parliament to keep pace with the extravagance of the king's ministers. Such, unquestionably, was the spirit of Mr. Burke's bill, and that bill clearly lays down that such a mode of payment shall be adopted that the salary of the highest class shall not be paid till that of the class immediately below is paid. I know that in the courts below an act must explain itself; but here we may reason upon the spirit and intent of the legislature; and indeed I cannot perceive that the act is so loosely worded as the right honourable gentleman argues; far less can I admit the position, that the violation of it being never complained of in this House constitutes an argument that none has ever taken place. If omission or silence were to be construed into acquiescence and approbation, not a principle of the constitution would remain entire, nor an abuse at one time or other without justification. So much was Mr. Burke convinced that his bill would produce the effect I have mentioned, that he boasted, as one of the advantages of it, that henceforth no arrear in the civil list could ever take place.

But, if Mr. Burke's bill has not produced all the good he intended, what are we to do in regard to the arrear that has accumulated? I adhere to the practice of our ancestors and to the principles on which they fixed the civil list, as a measure essential to the existence of the monarchy. But why, as a friend to the monarchy, do I conceive that we ought not to acquiesce in the payment of this arrear? It is because it is essential to the monarchy that the king should, by a fixed revenue, be enabled to pay his civil-list expences, independent of parliament. If, however, we find that four times in this reign the debts of the civil-list have been brought to parliament, the king actually becomes dependent on parliament to that extent. What is the nature of the civil list? Nobody imagines that every year the expences will be exactly the same. It is sufficient that, on the whole, the funds shall be sufficient to meet what is allowed to be

an ample establishment. Till 1793 there was no excess; since that period the arrear has accrued. What are we to infer from this? Is it that a peace civil list will not do for a state of war? When the civil list of King William was fixed, was there not the prospect of wars? In three cases out of five the civil list since that period has been voted in time of actual war.

It is said, that it is necessary to maintain the splendour of the monarchy; and certainly I approve of that splendour, nor do I think his majesty has ever carried it to excess; but, surely, if it were for urgent reasons at any time to be abridged, it would be reduced with most grace when war calls upon the public in general to submit to such galling sacrifices. I contend, therefore, that the civil list should be voted for life, and the quantum fixed by parliament ought not to be exceeded. Variations in the expences from year to year must have been foreseen, but an exceeding ought to be compensated by a future saving. If an arrear is incurred, ministers should restrict the expenditure till it is paid off. Nay, reformations and reductions, if necessary, should be adopted, to prevent an accumulation of debt, and to create a sort of sinking fund for its extinction. Parliament having settled what the civil list should be, ministers are guilty of usurping the legislative authority in extending the actual amount beyond the sum fixed. If it is thought improper to adopt reforms, or suspend or abolish places, to prevent the increase of debt, parliament ought to be consulted on the emergency. There is no excuse for accumulations. Experience shews that they ultimately must come before parliament. Why, therefore, is the certain accumulation permitted? With what face can ministers come down to parliament and say, "You fixed the annual expence of the civil list at 900,000*l.* but we have actually spent 950,000*l.*: you made one law, we have acted on another: you must obey us; it is not for us to obey you?" Observe, too, the time when ministers discover that the war adds so much to the expence of the civil list. They announce the effect when the cause has ceased. They were afraid to tell us formerly that the war added so much to every expence of life, because the confession might have rendered the war unpopular, and have interfered with their plans.

Besides, ministers do not consider the aids the civil list has received. Mr. Burke's bill, by abolishing places to the extent of 30,000*l.* a-year, actually increased it to that amount. It is to be considered, too, that no small part of the civil list consists of fixed salaries, such as the great officers of

state, which have not been increased since the days of Charles II. The source of increase, owing to temporary causes, must apply only to the tradesmen's bills; and if any part were at all to be paid off, this would be the branch of arrear I could be induced to give my consent that parliament should discharge. We have seen the repeated interference of parliament only produce new demands upon it. We are told, however, that there has been no prodigality, no corruption. But, have we all the items before us? Do we know the expence of the office of third secretary of state? — a measure which, pernicious in a financial view, is still more so as a question of constitution. On the present occasion, the length of the late administration has one advantage, (an advantage, however, which, in my opinion, is far from counter-balancing other evils,) that we know exactly to whom the arrear is imputable. When these ministers saw the growing arrears of the civil list, did they make any effort to relieve a fund already overloaded? No, they established a new office of third secretary of state. This is but one item. Many of the occasional expences seem unjustifiable. At the time of the Russian armament, ministers, finding it necessary to yield to the opposition they experienced in this House, aided by the public voice without, were obliged to drop the ground of quarrel with the empress. At that time, though we had Lord Whitworth at Petersburgh, a person fully equal to the station in which he was placed, ministers thought proper to send Mr. Fawkener, of whom from more intimate knowledge I can speak more confidently. Mr. Fawkener, a man of the greatest abilities, and fit to be employed in any business, however delicate and important, was sent to Petersburgh to do that which our minister there could surely have done; that is, intimate that we gave up to the empress every thing she wished respecting Oczacow. Lately too, Mr. G. Grenville, a gentleman for whom I entertain the greatest personal respect, was sent to Berlin, though we had at that court a minister, who, it is to be presumed, was adequate to the duty of the office in which he was employed. Last year, though we had a minister at Copenhagen, Lord Whitworth was sent to Copenhagen to do for another what Mr. Fawkener had done for him at Petersburgh; and his being sent on that occasion shewed that he was thought qualified for more important business, if necessary, than that in which Mr. Fawkener superseded him, and which was merely to make a civil bow to the empress, and announce that we had dropt all opposition to her views. All these occasional expences, therefore, seem to have been incurred without any sufficient reason.

Neither can I see that any addition to the establishment of secretaries of state was necessary. Formerly all the business of America and the West Indies belonged to the office of the secretary for the southern department; and Lord Chatham, a personage undoubtedly of the greatest talents, but labouring under the interruptions of bad health, not only performed all the duty of those offices, but united with them the conduct of a war, which at least vied in glory and success with that conducted by Mr. Dundas. The office of third secretary, which had been established with such fatal effects to the empire, was abolished by Mr. Burke's bill, and it was not till 1794 that it was revived; and though two of the secretaries of state, holding different offices, resolved to accept no salaries but for one of the places, it was so arranged that those personages took their emoluments out of funds immediately affecting the public, and in such a way as to relieve the civil list to the extent of 8000*l.* a-year. Yet all the inferior expences of the new secretary's office were added to the civil list. This, I dare say, produced since 1794 an expence not under 70,000*l.* I conceive that the establishment of the new office was altogether unnecessary; but, even had it been wanted, ministers should have considered their means of paying the expences of the old establishment before they increased it with new. The civil list (to personify it) should have reasoned like an individual, "I wish for this or the other thing, but can I pay for it?" Thus the civil list; "I wish to have a new secretary of state." "But have you the means to pay for him?" — "No; but the House of Commons will pay cheerfully. I have good friends there." — "But ask your friends first." — "O, no; it is not necessary; I can use freedom; I know my friends very well; they will be quite delighted with the opportunity. They have brothers and cousins to provide for. Never fear; let the expence be incurred. Say nothing about the matter at present; the House of Commons will pay the money, and ask no questions." Thus, without the least necessity, and amid increasing debts, new modes of expence are employed without decency, and sanctioned without a murmur.

My opinion then is, that we ought to reject the motion, and address his majesty that he would be graciously pleased to confine the expence of the civil list within 900,000*l.* and establish such savings and reforms as will create a sinking fund to pay off the debt contracted by the misconduct of his ministers. And here let me, in illustration, allude to the case of the Prince of Wales. We have been told, that the expences of living are increased to such a degree that the funds of the civil list are no longer adequate to their former

objects. But surely the expences of the Prince of Wales must be still more dependent on the increase of prices, and the charges on the mode of living? The Prince of Wales having in the first outset of life exceeded his allowance, has been restricted to 60,000*l.* a-year. But did parliament in his case consider the change in the value of money, and in the price of living, by which the Prince of Wales must be so much affected? The Prince of Wales, in 1787, having declared that his allowance, as then fixed, was sufficient, I conceived that he ought to adhere to that declaration, and that a reservation of his new establishment should be made for the payment of his debts. But has not the crown, by conferring marks of honour on Sir Fletcher Norton, and more recently by the message in 1786, declared that the sum of 900,000*l.* was sufficient? for the civil list ought to be no less bound to adhere to that engagement, than a young man just entering into life. But, if it is proper to maintain the splendour of the monarchy, the same argument holds good in the case of the heir apparent. Parliament, however, thought it right for a season to abridge the splendour of the Prince of Wales's establishment, in order to supply a fund for the extinction of his debts; and the same principle ought now to be acted upon. If this be not adopted, at any rate only the tradesmen's bills should now be paid; but the occasional payments, and other branches of debt, should be treated agreeably to the spirit of Mr. Burke's act. I hope that peace will put an end to that species of misrepresentation so prevalent of late years, that every man who opposes measures calculated to increase the influence of the crown, and the power of a minister, is an enemy to the monarchy itself. The influence of the crown has increased so much, that a temporary reform in its means of expence could be attended with no abridgment of its authority. Formerly, the crown had more to give with smaller burdens. Its influence now arises from the enormous naval and military establishments, which the wars of Europe and our relations with other powers have produced. In these there is ample compensation for any suspension of inferior offices connected with the civil list. Mr. Justice Blackstone has been quoted. Mr. Justice Blackstone rather leaned to the principles most in fashion anterior to the Revolution; and yet this writer has the good sense and candour to admit, that it may be doubted whether the admirable arrangement in fixing the civil list has not compensated to the crown for many of the prerogatives which it formerly used to exercise. I can truly affirm, that it is my wish to contribute every exertion of mine, by every legitimate means, to promote the happiness

and glory of the sovereign; but there is a duty I owe to my constituents and the country, not inferior to the respect I owe to the monarchy. I wish to address the throne in language different from the language of servility. Courtiers may flatter kings, by telling them that parliament will pay whatever they think proper to spend. A different language is more seasonable and more consonant to the principles which placed his majesty on the throne. I would recommend this House to address his majesty with due respect, to suggest to him that he ought to reject the insidious advice of his courtiers; that he should distrust the ministers who mislead him into unnecessary expence; that it is his duty in all matters of finance to comply with the restrictions of parliament; and that it will be for the dignity of his crown, and for the prosperity of his people, to quadrate his expences by the rules which the wisdom of parliament has prescribed.

Address on the King's Message relative to the War with France.

May 24. 1803.

On the 16th of May the chancellor of the exchequer presented the following message from his majesty:

"George R.

"His majesty thinks it proper to acquaint the House of Commons, that the discussions which he announced to them in his message of the 8th of March last, as then subsisting between his majesty and the French government, have been terminated; that the conduct of the French government has obliged his majesty to recall his ambassador from Paris, and that the ambassador from the French republic has left London.

"His majesty has given directions for laying before the House of Commons, with as little delay as possible, copies of such papers as will afford the fullest information to his parliament at this important conjuncture.

"It is a consolation to his majesty to reflect, that no endeavours have been wanting, on his part, to preserve to his subjects the blessings of peace; but, under the circumstances which have occurred to disappoint his just expectations, his majesty relies with confidence on the zeal and public spirit of his faithful Commons, and on the exertions of his brave and loyal subjects, to support him in his determination to employ the power and resources of the nation, in opposing the spirit of ambition and

incroachment which at present actuates the councils of France, in upholding the dignity of his crown, and in asserting and maintaining the rights and interests of his people."

On the 23d of May, Lord Hawkesbury moved, "That an humble address be presented to his majesty to return his majesty the thanks of this House for his most gracious message, and for the communication of the several papers which have been laid before them in obedience to his majesty's commands: To assure his majesty of the just sense we entertain of his majesty's anxious and uniform endeavours to preserve to his people the blessings of peace, and of our perfect confidence in his majesty's disposition to terminate the calamities of war, whenever that object can be accomplished consistently with the honour of his majesty's crown, and the interests of his people: That we have observed with the strongest feelings of indignation, that his majesty's endeavours have been frustrated by that restless spirit of ambition and domination by which the government of France have been led to advance pretensions the most extravagant and injurious, and to avow designs at once inconsistent with the obligations of good faith, and with the essential interests of the British empire; and that for these indignities and provocations, his majesty has in vain demanded satisfaction and redress: That, actuated by these sentiments, we feel that the trust reposed in us by a brave and loyal people, requires on our part a firm determination to co-operate with his majesty in calling forth the resources of the United Kingdom, for the vigorous support of a cause in which are involved the dignity of his majesty's crown, the rights and liberties of his people, and all that is dear and valuable to us as a free and independent nation." The address was supported by Mr. Pitt, Lord Castlereagh, Mr. Wilberforce, and others. Mr. Grey acknowledged the necessity of resisting the spirit of encroachment shewn by France; yet, with a view to leave an opening for accommodation, moved as an amendment, to leave out from the first paragraph to the end of the address, in order to insert these words — "To assure his majesty of our firm determination to co-operate with his majesty in calling forth the resources of the United Kingdom for the vigorous prosecution of the war in which we are involved; and to express to his majesty the satisfaction with which his faithful Commons have received his majesty's gracious declaration, that he is willing to afford, as far as may be consistent with his own honour, and the interests of his people, every facility to any just arrangement by which the blessings of peace may be restored to his loyal subjects." The debate was adjourned to the following day, when after the original address had been supported by Mr. Thomas Grenville, Mr. Dallas, General Maitland, Mr. W. Elliot, Mr. Serjeant Best, and Mr. Canning; and the amendment by Mr. Whitbread,

Mr. Fox rose, and assured the house of his unwillingness to ask for its attention, after the long and able discussion which the important subject before them had already received, after the fair and comprehensive manner in which his honour-

able friend (Mr. Grey) had brought forward his amendment to the address, and after that full investigation which it had met with from the several gentlemen who had spoken both on that and the preceding day, did he not feel it his absolute duty to the people of England, to endeavour at least, as well as he was able, to prevail on that house, by the timely interposition of its counsels, to rescue them, not only from a considerable danger, but from the certain misery which must be their doom in any event of war, even the most successful.

He should first endeavour to clear the subject from the embarrassment into which it had been thrown by some of those who had supported the address, and particularly by a right honourable friend of his on the bench near him, (Mr. T. Grenville,) for so he would call him, notwithstanding any difference of political sentiment that might subsist between them, knowing that those differences produced as little alteration on that gentleman's private feelings as they did on his own. Among those differences he should class the opinion to which he was about to refer, and which had also received the support of a right honourable gentleman who had just spoken (Mr. Canning). To the course recommended by those gentlemen it was impossible for him to assent. It was their object to divide the question in debate into two parts, and to consider the justice and expediency of the war, as totally separate from the conduct of the ministers which had produced it. With regard to a question of war, it was, generally speaking, like any other question, extremely difficult to be distinguished from the measures by which it had been occasioned. In the case immediately before the House, the distinction for which those gentlemen contended, appeared more particularly inadmissible than in almost any other. Might not the justice of this war, for instance, rest entirely on the refusal of explanation where explanation had been demanded? on the refusal of redress where redress had been demanded? or on the refusal of satisfaction where satisfaction had been demanded? Was it not, therefore, in the very nature of the thing that the whole question, as to such refusal, might, nay to a certainty must, depend on the terms, the time, and the circumstances under which we had asked this explanation, this redress, or this satisfaction?

Putting the case, however, of its being possible to admit that, without such previous enquiry, it could be fairly decided in that House whether a foreign power was right or wrong in its refusal of satisfaction, Mr. Fox called strongly on his right honourable friend on the bench near him, and on others who agreed with that gentleman in opinion, to say whether, considering the manner in which the address expressed itself, they could with any consistency support it? In the language of

that address it was affirmed, that his majesty (which, of course, always meant to say his ministers) had been "anxious and uniform in his endeavours to preserve to his people the blessings of peace." For himself, Mr. Fox said, that voting on this awful event, he could not conscientiously agree, that the efforts of his majesty's advisers had been anxious and uniform to preserve peace. From a due examination of the materials before him, he could find no such anxiety or unifomity in their efforts. The very reverse might, in many instances, be inferred; without much further inquiry, therefore, he could not assent to any proposition which should affirm that fact. But if the gentlemen, to whom he alluded, thought differently from him on this point, (although he scarcely conceived it possible that they should,) and if they were, indeed, ready to declare that the ministers had been uniform in their efforts to preserve peace, would they be equally ready to applaud them for it? they, who had constantly condemned the object itself, and of course all efforts to obtain it. Were they ready, too, to thank the ministers for the manner in which they had conducted the negociation, if negociation it could be called? Consistently with all their known ideas, those gentlemen certainly could not support the proposed address.

His right honourable friend, (Mr. T. Grenville,) indeed, had said, that although he should vote for the address, there was not one word in the amendment in which he did not fully concur, and which he was not ready to vote without any qualification. But, in voting for the address, he expressly guarded himself against any approbation of the conduct of ministers. It was for the sake of unanimity alone that he did not oppose the original motion. Now, when it was evident that neither his right honourable friend, nor any one of those who professed their intention of voting for the address, would venture to do so without qualifying his support of it, by stating that he did not mean to prejudge the question of the conduct of ministers; when it was evident that the original address contained in it many sentiments, with which those, with whom he (Mr. Fox) acted, could not possibly concur; when not one sentiment or expression in the amendment called for the disapprobation of his right honourable friend, or any other individual of that House; and when the ministers themselves were stated by the noble lord opposite, (Lord Hawkesbury,) not even to desire to obtain from the house any declaration of approval for what they had done, — it struck him, that it was in the amendment, and not in the address, that the true view of the subject was contained, and that by voting for the amendment, unanimity, real unanimity, would be most effectually secured. For how stood the question upon this point? One right honourable

gentleman under the gallery (Mr. Canning) was desirous of approving the terms of the address for one day; but it was for that one day only; for he had expressly given the House to understand, that there would be an end of his unanimity on the day following. He had already given notice of a motion for papers. The respite to ministers, therefore, would probably not be very long. "I have lately," said Mr. Fox, "been so much out of political life, that I am totally ignorant of the intrigues of parties in this House; but I now see before me a striking instance of the effect produced by the presence of a very eminent and powerful member, who has been unable for a long time to give us the benefit of his attendance. I am ready to acknowledge at all times the advantages to be derived to this House from the assistance of great and splendid abilities; but so much a friend am I to the freedom of debate, that I can hardly think even his presence sufficient to compensate for the loss which we sustain by the silence it imposes on certain honourable gentlemen, who at other times, and in his absence, are obliging enough to communicate their sentiments to us. But now they seem to say to each other, "in his awful presence, let us abstain from attacking the ministers; opportunity will soon offer itself; for though he is here to-day, he may be away to-morrow, and then — have at them!" Now, Sir, it certainly is an advantage to the debates of this House to learn in the course of them the sentiments of any eminent person. It is always a rational, and sometimes a profitable pleasure, to listen to superior eloquence; but, when these advantages produce the inconvenience of silencing others, whether from the dread of his presence, the fear of losing his good opinion, or from any other cause, no matter what, I own I have doubts whether, on such terms and conditions, his presence or his absence be most desirable. The effect of his presence, indeed, is no less than an abridgment of the freedom of debate, by silencing those gentlemen, who, on other occasions, stand sufficiently forward in our discussions; and who are so desirous of putting us in possession of all their sentiments, that when the question has been, whether the House should or should not adjourn from the Friday to the Monday, or whether any immaterial paper should or should not be laid before us, have never withheld their opinions, although now — such are the effects of a great man's presence — they are absolutely mute.

Mr. Fox then entered upon the consideration of the justice of the war. The address, he observed, pledged the House of Commons to its justice and necessity, for want of due satisfaction from the first consul of France, without its having been shown in what points satisfaction had been demanded, and refused. To make out the want of satisfaction, it was

necessary to consider how, and when, and under what circumstances, satisfaction had been demanded, and, above all, whether it had been actually refused. If all this was admitted to be necessary, it was not to be denied that a review of the conduct of ministers became so too; consequently, that to separate the two questions of the justice of the war, and the conduct of ministers, was impossible. Many points had been urged in the course of the debate, which could not be made out from the documents on the table; many points had been partially stated; others had been omitted, though material to the fair examination of the question; and in some instances conclusions had been assumed, which did not logically follow from their premises: these circumstances had given impressions to his mind, different from those of most of the gentlemen who had spoken before him. In all his reading on this subject, he had always found it admitted, that in disputes between states, a clear distinction was established between insults and injuries. He had uniformly understood that insult, by itself, was no ground whatever for hostility. It was not the insult that was the just ground of war, but the refusal of satisfaction for insult, after representation duly made, and satisfaction demanded. This was, indeed, a true and just ground for war. It followed, therefore, that every insult was to be considered with reference to a demand and a refusal, and this only to a formal demand and a refusal. With regard to an injury actually sustained, the case was not exactly the same. The just and laudable course to follow, in the case of an injury sustained, was certainly first to demand redress; but it sometimes happened, that the injury was of such a nature as to be almost incapable of the redress immediately applicable to it; of such a nature, that while a country was demanding reparation, it was losing the opportunity of obtaining it; in which case, and particularly if the redress happened to be in our own hands, it became fit to use the means which nature and fortune had placed within our reach.

What he should first consider, therefore, was the conduct which France had held towards other states, so far as such conduct was to be presumed evidence of hostile designs against this country. Every act of injustice of this nature, which France had been guilty of since the peace of Amiens, could not be fairly adduced, with reference to its effect upon ourselves, as constituting a just ground for war. "I hope," said Mr. Fox, "that I shall not be thought to take unnecessarily nice distinctions, when I say, that some acts may be done by one country against another, which, although in the abstract highly unjust and injurious, are not nevertheless acts so directly tending to the injury of a third power, as to amount

to a proof of hostile views against that third power, and therefore to call for its interference; neither is it necessary, on the other hand, that you should be bound by specific treaty, to guarantee any particular state against the aggrandizement of its neighbour, in order to be entitled to interfere for its defence. Undoubtedly you may interfere to oppose such aggrandizement, upon the general principles of policy, which include prudence; and upon the first principle which governs states as well as individuals, the principle of self-defence. I go further, and say, that you are authorized by the rank you hold, and I trust you will continue to hold, in the scale of nations, to interfere and to prevent injustice and oppression by a great towards a smaller state, whenever it is offered. This I take to be a ground of just interference with foreign powers, regulated always by the prospect of success, and by that prudence which would abstain from any interference at all, when it could only injure the party it was intended to serve: but these premises do not bring us to the conclusion which it seemed the object of the noble lord (Hawkesbury) to enforce in his speech yesterday, namely, "that whenever any neighbouring power has attempted aggrandizement, and has accomplished her object, either by the operation of war, or by other means, such aggrandizement is necessarily to be taken as an act of malevolence towards ourselves; and that although we will not interfere to prevent the aggrandizement while it is going on, it may be fit to reserve the right of interfering until some other time, and then to bring forward a question upon it on the ground of its being a direct injury to ourselves." Such a doctrine has never yet been insisted upon in any of the transactions which have taken place among the European powers. Among the various instances of the aggression of great states, in modern times, we have the two divisions of Poland, which, even in comparison with any thing we have since seen, still retain a certain pre-eminence in profligacy. Can any man deny that, on the first division of Poland, France and England might have united to prevent that most atrocious act of injustice? Will any man say that such an union, for such a purpose, would not have been laudable? or rather was it not the duty of these independent nations to unite upon the common principles of justice against the other three dividing and spoliating powers, and tell them, "You are doing an act, dreadful in itself, most dangerous in its consequences, most pernicious in its precedent; and although neither of us has any treaty or connection with Poland, we will prevent the division you are about to make of that kingdom." No man will deny the justice of such an interference. But, on the other hand, if we had afterwards, upon

some other point which had no connection with this subject, gone to war with Russia or Austria, or Prussia, would it not have been extravagant for us to have said, "We never remonstrated against the partition of Poland, while the thing was doing, because, at that time, you had given us no direct cause of offence; but now that we have a quarrel with you, we shall insist on that act as evidence of your original malice against us."

It was under this view, therefore, that Mr. Fox now proposed to consider the general conduct of France towards other states since the treaty of Amiens. First, however, he should consider that treaty not in its detail, but in its principle. The principle on which he had supported that treaty, and on which many other members of parliament had supported it, was not that the state of Europe, as arranged by its stipulations, was satisfactory — not that he had, at the time of making it, much reliance on the good faith, still less on the moderation of France, but upon a feeling that, under all the circumstances, it was better to take the opportunity which then offered of putting an end to the calamities of war. It was true that we did accept an imperfect security on concluding the treaty of Amiens. This was a truth which all men felt; but it was a truth by no means peculiar to that treaty — it had happened in many treaties before, and would happen again. Imperfect security was common to all engagements in almost every condition of society; and nothing short of a state of absolute perfection in all things, which none but a lunatic was extravagant enough to expect, would justify the hope of perfect security in a treaty. All that could rationally be looked forward to was probable security; that is to say, the security which arises from its being the interest of the other contracting party not to break their engagements. It was absurd to calculate upon more. If all nations were to be apprehensive that, unless they were perfectly secure, they enjoyed no security whatever, and fancying themselves, therefore, in danger, were to go to war in search of absolute security, he was afraid there would be but little peace in the world. If Great Britain had pursued this policy, the few intervals of peace she had had would never have taken place, and the last century would have presented one uninterrupted state of war; but we had from time to time, and, as he thought, prudently, been content to take probable security for the continuance of peace. This he took to have been the principle of the treaty in question. Did we therefore relinquish our right to interfere in the affairs of Holland? Certainly not: for, independently of general principles, there are express provisions to the contrary in the treaty. Did we relinquish our right to interfere

in the affairs of Switzerland? Certainly not — Or in the affairs of Naples? or of Turkey? or in those of any other part of the globe? Certainly not. That treaty precluded us in no instance from acting upon the system which became a great and generous nation, or from taking any reasonable opportunity that offered for succouring the distresses of others, and protecting the smaller states.

To apply, therefore, this general conduct of France since the treaty of Amiens, to the question of English grievances —Among the alleged aggressions of France much stress had been laid upon her conduct relative to the German indemnities. Mr. Fox professed himself not to feel on that subject any greater degree of indignation towards the government of France than he felt towards all the other governments who were principals in that transaction. Every one of them had carried through that system in a manner which had most properly called forth the animadversions of the noble lord (Hawkesbury). He had himself always reprobated the system of indemnity and compensation. It was, and could be no other than, a system of common rapine. To take indemnities from the territories of other states by any authority than that of the rightful possessors, was, in one word, robbery. On this point his opinion had been uniform. With regard, however, to this principle of compensation, it was to be recollected, that it had originated with the treaty of Luneville; it had then been agreed upon by the two belligerent powers, neither of whom would grant any compensation to the other out of its own territory or possessions. The burthen, therefore, was to fall upon the German states. The principle had been adopted with a view to a long continuance of the settlement under it; and France, surely, was not more to blame than other powers in agreeing to those terms, for the sake of putting an end to further litigation. Into the question of right he would not enter; but to complain that Austria was a loser by it, was saying very little. It was impossible it could have been otherwise. Austria must necessarily have been a loser, from the circumstances attending the treaty of Campo Formio, and the subsequent renewal of the war. It was useless to discuss who was to blame for that renewal; but no man who recollected the unsuccessful campaigns of Austria, and, on the other hand, the successful campaigns of Bonaparte, could doubt that she must be the loser. To say that she was so, therefore, was saying no more than that an unsuccessful party in a contest will be a loser by that contest. It was, however, a material part of this case of the indemnities, that Russia was joined with France to carry them through. Whatever blame, therefore, belonged to the transaction, must be shared equally between them.

With respect to Piedmont, at the time of the treaty of Amiens it was, to all intents and purposes, a part of France: it constituted the 27th military Arrondissement. It belonged to France as effectually as Gibraltar belongs to us. At the time of the civil annexation, which is all that has taken place since the treaty, and which is the present subject of complaint, the name only was changed. The different rulers of France, since the revolution, have had the folly to change the names of every thing, and instead of the 27th military Arrondissement, Piedmont is now called the department of the Po. It was but giving two names to the same thing. Whether Piedmont ought to belong to France — whether it ought not to be restored to the King of Sardinia — were not questions for us to enter into at the present time. To all controversies of this sort there must be some given period: that period naturally would be the treaty. What passed on this subject between the two contracting parties at the preliminary treaty was to be compared with what had been assented to afterwards. Whatever had been stipulated for on the signature of the preliminaries, we had a right to insist upon, and whatever had been done contrary to those stipulations, it was our business to object to before the signature of the definitive treaty; but, after its signature, we had no right to complain of what had been done in the interim between the two. It was notorious, that at the conclusion of the treaty, Piedmont, although not called by the name of the department of the Po, was to all intents and purposes a province of France.

The next question was the transaction respecting Switzerland; a transaction of a very different nature. The French government was bound by treaty, as well as by every principle of justice, to withdraw their troops from Switzerland, to leave that country to itself, even with the miserable government which they had established in it, and to respect its independence. During their dominion in that country they had formed a constitution there utterly repugnant to the principles, and odious to the feelings, of the people. The moment their troops were withdrawn, the people of Switzerland, by an insurrection founded on the truest principles of justice, rose and overturned that constitution. The French government interposed to restore it, and, bad as the system was, the manner of their interfering to restore it, was, if possible, worse. It has terminated, however, and so far the insurrection has been fortunate, in the establishment of a system rather more congenial with the popular sentiments, and appearing, at least, to possess some portion of freedom; since, in the democratic cantons, where the opposition to France first began, the people had very generally elected to their highest offices

those who had been the most active in promoting it, and who had most helped to produce the subversion of the government which had been imposed upon them. This violent act of injustice on the part of France no man contemplated with more indignation than Mr. Fox. But was it, after all, an act particularly and peculiarly directed against Great Britain? He hardly knew whether he dared to speak upon this subject, since there were so many persons, both in and out of that House, who, whenever the name of the first consul was mentioned, thought that nothing too violent could be said against him, and that nothing he did, or ever could do, was fit to be endured. Was there, however, in this act of aggrandizement on the part of Bonaparte, any ingredient which made it appear, that it was meant by him to operate against Great Britain? Will any man believe that his sending troops into Switzerland was only with the view of testifying his aversion to this country? It may be said, indeed, that it was so meant, because it was an act of aggrandizement on the part of France, and every such act must be done with a view of hurting Great Britain: this, however, was pushing the construction upon human action to an outrageous degree; to a degree in which it could be supported upon no sound principle. It might with equal justice be argued, that every improvement in the internal condition of France, whether in her agriculture, her manufactures, her commerce, or her revenues, is contributory to her aggrandizement, and therefore intentionally injurious to us. It might equally be said, that the improvements of Brest, of Boulogne, or any other of her ports or harbours, are carried on, not merely for the interest of France, but with an immediate view to the prejudice of Great Britain. If this principle were true, we should be under the necessity of making war on France, and not only on France, but on every other power that attempted to better its condition by any means. What is worse, we could never make peace. France must be exterminated, were the principle true, that every thing she does for the increase of her own strength, is intended hostilely towards Great Britain. Upon the subject of Switzerland, however, what was there to have been done? Was it right to go to war about it? His answer would be, *primâ facie*, No! He would not say that circumstances might not have happened to justify our going to war; indeed, he thought the acts of France against Switzerland would have been a sufficient justification for it, if policy had permitted; all he was then contending for was, that the conduct of France in this instance, oppressive and tyrannical as it was, could not be taken as an act of hostility against us. He

owned that for himself he had always been most anxious that this country should avoid a war on account of Switzerland. Under the then peculiarly unfavourable circumstances of Europe, he had a thorough conviction that we could not make such a war with any effect. Even if those circumstances had been less unfavourable, he should have deprecated the war, although professedly for the purpose of assisting the struggles of that gallant people for their liberties. Even if we could have got Austria to join us, was it sure that that power, was it *quite* sure that we ourselves, would have had no other object in view than the restoration of Switzerland to her independence? Could such professions, on the part of Austria, be any thing but rank hypocrisy? However good the cause, when that cause was to be only the pretence for war, and was put forward to conceal other purposes, he should be very little disposed to join in it. He could not, for this reason, attend much to the high language which was held about Switzerland; or to other topics which appeared to be introduced into the discussions, only to swell the catalogue of the crimes of France, and give a colour of popularity to the war. That Switzerland could not be one of the objects of the war, was proved by the very negociation which had just been so unfortunately concluded. It appeared clearly from the correspondence, that if Lord Whitworth's last *ultimatum* had been acceded to, poor Switzerland would have been forgotten, and left to her fate!

Mr. Fox then proceeded to what he called a still more serious case; he meant the intolerable injustice with which France had treated the republic of Holland. Their conduct in this respect was of a nature that called for the expression of his warmest reprobation. It was one of those acts to which, the stronger the words in which it should be described, the more applicable would they be to its guilt. It was an act to be equalled by nothing but those which prevailed in countries where a difference of colour seemed to have shut up the hearts of men, and extinguished every sentiment of compassion. "Were I a master of the use of colours," said Mr. Fox, "and could paint with skill, I would take the darkest to delineate the conduct of France towards Holland. It certainly has been worse treated by her than any other country whatever. Holland has not only suffered all the evils of war which are unavoidable; but when peace came, to turn that country, in defiance of a positive treaty with her, into a *depôt* for French troops, for the mere purpose, I sincerely believe, of making the Dutch pay the expence of maintaining them, was an act no less despicable for its meanness, than hateful for its atrocity." Now, Holland had been spoken of by an honourable gentleman as if it were to be considered as

a kind of out-post for France, by which she could more readily annoy Great Britain. How far that might be true, he would not then discuss; but even those who pretended to the best knowledge of the dispositions and intentions of Bonaparte, would hardly say, that they believed the sending these troops to Holland had any reference whatever to Great Britain. For his part, he verily believed it was for the sole purpose of having them fed and cloathed at the expence of Holland. It was a refinement in reasoning which he could not understand, to contend that they were brought there, not for present use, but for the purpose of being employed at some other period, when it might be done to better advantage; that they were kept there as a sort of stratagem, in order to prevent this country from taking an alarm when their design of invading us should be ripe. This, however, he would tell the ministers,—that it was their duty to have remonstrated against the occupation of Holland; and in remonstrating, to have taken the highest ground. Had ministers done so, they would have had the feelings of the Dutch nation with them, and the opinion and good wishes of Europe. What ought to have been their precise course it was not for him to tell them; but a direct and spirited remonstrance on the affairs of Holland specifically, not deferred until after his majesty's message to parliament, but immediately on the arrival of Lord Whitworth at Paris, ought to have been presented to the French government. This representation should have been made not privately, not couched in peevish language,—such was always beneath the dignity of a great nation, and never could answer any good purpose,—but in an open, candid, manly remonstrance; in terms fit to be published in every part of the globe, as the language of an independent and powerful people. He could not, indeed, undertake to answer positively for the success of such a measure. But it was his firm belief that, if Great Britain had only presented a remonstrance, and had done so without any menace of declaring war in case of refusal, such an endeavour would have had a favourable effect on the affairs of Holland, on the general opinion of Europe, and on the subsequent conduct of France herself.

These material consequences, he was confident, might have been produced if the ministers had taken the proper time for remonstrating. All that they now appear to have done is to have mentioned Holland to the first consul! Now, it was fair to observe, that if this was all they thought proper to do, they had received in return all that they were entitled to expect. They had the assurances of the first consul that he would evacuate Holland as soon as the discussions between the two governments should be terminated. These promises were, at

least, fair; and, after the manner in which they had interfered, promises were all the ministers could look for.

The conduct of the French government in thus occupying Holland with their troops, was no less unjust, and eventually, he trusted, would prove no less unwise and impolitic than the attempt to reduce St. Domingo to its former condition of servitude. It had been said, that the expedition to St. Domingo was no affair of ours; that the principles of mere humanity, or the consideration of what might turn out to the advantage of the inhabitants of that devoted island, gave us no right to interpose on that occasion. Supposing this country, indeed, to be guided by the dry d[illegible]cial principle of self-interest alone, Mr. Fox agreed that that expedition gave us not the smallest reason to complain. So far he agreed with the ministers, and differed from a right honourable gentleman upon the floor, (Mr. Windham); that expedition, on the contrary, he conceived to have been one of the most absurd and foolish ever undertaken for the interests of France herself. Not only it was not dangerous to this country, but in one view it had been highly advantageous; since it had employed the forces of France, occupied her attention, and weakened her resources. This had been done without bringing her any benefit in return, since every one saw that the object of the expedition had been lost; it was lost chiefly from the conduct which had been observed towards the blacks, and particularly towards Toussaint, by the person who had the command in that island; a conduct which he considered as implicating and forming a material blot in the character of Bonaparte himself. Here Mr. Fox took occasion to regret the little attention which was paid to these events in England, under the vulgar supposition of their being foreign to British interests; to condemn the fatal weakness which prevailed over the chief part of mankind, rendering them indifferent to the fate of others at a distance; and to reprobate that still more inexcusable apathy, the true source of the wickedness with which all countries, without exception, had treated the blacks, and which seemed to deaden the heart of man to the sufferings of those of his species who happened not to resemble him in complexion. He considered it as a great reproach to this country not to have seized the very first moment of a good understanding with France, to concert measures with her for the extirpation of that dreadful evil, that disgrace to human nature, the slave trade — this he should always consider and lament as a valuable opportunity lost, on a most interesting and important subject.

The last transaction to be considered, under this first head of complaint, was the taking possession of Parma and Pla-

centia. It did not appear by any thing known to the public, whether or not those territories were allotted to France, by any treaty which existed previous to the treaty with us. He believed that the reversion of them to France was insured by a treaty with Spain, entered into during the life of the late duke. It was his opinion, however, under all the circumstances of the rest of the continent, that this was now become a matter of very inferior importance. He adverted to it rather as a subject of regret, than as constituting a ground of war. Most of the others he had mentioned were of the same description: all were subjects of regret, many of them of reproach; although, in his judgment, nothing was of any comparative weight when placed against the transactions in regard to Holland.

Mr. Fox next proceeded to those subjects which constituted the second class of complaints against France, those, namely, which were to be considered under the head of insults, contradistinguished from actual injuries. This question included one of a very wide and general nature, namely, how far the language which the two countries had held towards each other was to be considered as forming a just ground of reciprocal hostility. No one who knew any thing of the constitution of England, or the spirit and temper of its people, could expect that we should condescend even to discuss a proposition with France, which had for its object any diminution of the liberty of the press. This great privilege, he, of all men, was not likely to be suspected of a disposition to surrender. If he would not surrender it to please the government of his own country, much less would he consent to do so for the sake of pleasing the government of any other. This point he would not condescend to argue — it was entirely out of all question. The proposition of France, however, on this head, whatever it may have been, was rejected by us, and in that rejection France acquiesced. Grossly absurd, therefore, as such a proposition was, and founded in complete ignorance of the nature of our constitution, it could not now be considered any farther as an insult, or as the evidence of a hostile mind actually existing. It was true, that out of the liberty, or rather out of the abuse of the liberty of the press, many partial evils, forming just ground of mutual complaint between the two countries, might arise. They had arisen in the present case. Certain publications had produced, what it was natural for them to produce in the minds of nine people out of ten, namely, disgust and irritation. This feeling had been strongly excited on both sides, and, as it appeared, with mutual and very successful industry. It was, indeed, a feeling of bitterness and ani-

mosity, which tended in a great measure to undo the good effects of peace, and prepare the minds of the people in both countries for the renewal of the war. Great and serious, however, as was this mischief, still he could not consent to see the freedom of the press abridged; but if abuse was to go on, it was his earnest wish that hostilities at least between the two countries should be confined to the newspapers. This species of warfare, if not the most glorious, was undoubtedly the safest. In the first of poems by the first of poets, it had been recommended to two combatants just preparing to engage in battle; and that poet, who was no less a man than Homer, put his advice into the mouth of the goddess of wisdom herself — "Put up your swords," she says, "and then abuse each other as long as you please." "Such was the advice," said Mr. Fox, "I gave in this House to both countries long ago. Would to God it had been followed! for weak, foolish, and contemptible as abuse may be, it most certainly is a lesser calamity than war." Such a species of warfare, was one in which neither party was likely to experience any failure of ammunition. This seemed to have been regularly imported, and in sufficient quantities, from both countries. The chief consul complains that, during a certain period, every packet-boat that passed from Dover to Calais, brought over a cargo of libels. Now, this might appear a curious manner of freighting vessels, but it was singular enough that the glorious poet, quoted before, should have imagined the very same thing; for, in another part of the Iliad, upon a similar occasion, he says, "as to abuse, you may have a ship-load of it if you please!" We may conclude, therefore, that the exportation of libels from one country to another was of very ancient practice, and that Homer spoke literally and not figuratively, unless we can suppose him to have had the gift of prescience as to the contents of the packet-boats which crossed during the last summer from Dover to Calais.

Returning to the serious part of this subject, Mr. Fox said, that although no ground for war, this violent abuse was fit matter of complaint on both sides. It was true, that the ministers of this country might state a wide difference in the case of libels between the two countries, and might allege that the ministers of France had the means of restraining them, while no such power existed in Great Britain. Literally speaking, this certainly was true; and God forbid that it should be otherwise! but was there any man who heard him who could not give some guess at least how matters of this sort were always managed even here? Was there any news-writer really so unacquainted with proceedings of this

nature, as not to know that there were certain modes of abuse, which, according to their direction against particular persons, were more or less agreeable to the king's ministers? Were there really no means for them to come to any understanding with those ministers on such a subject? He could not believe there were many persons who heard him of such a primitive simplicity as not to be in the least aware of what he was adverting to; nor could the French be quite so ignorant as to believe, where they see newspapers teeming with incessant abuse of a foreign power for months together, that it is, or that it can be, the serious wish of ministers to prevent it; or that, if they fail, it is for want of the means of accomplishing such an object. They will scarcely be prevailed upon to believe that the only influence, possessed by a minister of state over the newspapers, is derived from a preference shewn by them to one editor over another in the sending advertisements, or communicating articles of public information. Even this, however, is considerable, when the value of such information to the public, and consequently to the editor, is taken into the account. A French minister, too, on his part, might probably reply to a remonstrance from us in a similar manner. He might lament the necessity they were under in France of restraining the liberty of the press. He might profess the highest admiration of that liberty, and the greatest reluctance to fetter it by any restrictions, assuring us, that their only motive was the protection of their own internal government from the effects of libels, but that they had too high a respect for the press to think of interfering with its privileges any further. He might then call on us to exercise the power we possess by the alien-act to stop at least the source of some of those libels; and to our answer that the powers of that act are applicable only to foreigners who should attempt disturbances against the government at home, and not to such as should attempt any thing against those of foreign states, he might retort upon us — "This, too, is the only power we can exercise over our own press. We detest all infringements of its liberties as well as you. We detest the libelling system as much as you do. We wish it were abrogated altogether, but we have not the means. All the power we exercise over the press is limited to the security of our own domestic tranquillity." Such might be the arguments on both sides, and much, indeed, was it to be lamented that the facts in this case were such as not only to have a tendency to create, but actually to have created, in France as well as in England, that degree of soreness and irritation, which, in his opinion, had had so large a share in accelerating the present crisis.

This led him to the consideration of another alleged insult, namely, the complaint advanced by the French government on the subject of the protection afforded by us to certain French refugees. The demand to send them away Mr. Fox reprobated in the strongest terms. It was his sentiment, he said, that let a man, be he a native of France, of England, or of any other country, observe but the duties of good neighbourhood and submission to the laws, he ought never to be molested for his opinions, in what corner of the world soever he should retire for refuge. Crimes alone could bring him under the judicial cognizance of any just government. To deny any man, be his condition or rank what it might, or coming from whatever part of the globe, the rights of hospitality for his political principles, would be cruel, cowardly, and totally unworthy of the British character. "The demand," said Mr. Fox, "that we should send out of this country persons obnoxious to the government of France, is made upon a most false and most dangerous principle. If it could be so established between the two states, that we should send away from England every person whom it might please the French government to call a rebel; and that reciprocally to please us, France should send away every person obnoxious to the ministers of this country; and if it were possible to conceive the still further extension of this principle among the other governments of Europe, every unfortunate man, who might either from sentiment, connection, or accident, have been led or driven into some act of resistance, would be exposed to the same dangers, and incur the same penalties, as if he had been taken in actual arms against his country. The union of the two governments of England and France would effectually preclude him from any asylum any where, and would hunt him from the face of the globe. To give up men of this description, therefore, would be the worst and basest act I am capable of conceiving. No man, I believe, is more a lover of peace than I am. No one, perhaps,—and I hope not to be suspected at this time of bearing hard upon an unfortunate and fallen family, when I say it—no one, perhaps, politically speaking, has less respect than I have for the house of Bourbon; yet I am ready to declare, that for that family, nay, for the worst prince of that family, if among them there should be a bad one, I should be ready to draw my sword and to go to war, rather than comply with a demand to withdraw from him the hospitality to which he had trusted. I say this with regard to persons against whom no crime is alleged; there certainly, however, does prevail

at Paris, how justly I know not, a belief, or a strong suspicion, that several persons concerned in the plot against the first consul's life, have not only found protection in England, but are carrying on further intrigues against the peace of the two countries. Whether this opinion be well or ill founded, I am ignorant, and indeed should be very slow to believe it, (for God knows I am not remarkably credulous in favour of assertions unaccompanied by evidence) but there exists undoubtedly such an opinion, and that certain individuals, to the number of three, now actually in England, or very lately so, were concerned in an attempt on the life of Bonaparte. Am I to judge these men guilty of this crime because they are accused of it? God forbid! But when charges of such a nature are brought against individuals by name, and those individuals are within our reach, I think it but due to all parties, to those who are the objects of the charge as well as those who prefer it, that some inquiry should take place into the fact, and that the result, whatever it may be, should be fairly represented and made known. This is a duty which we owe not only to France, but to ourselves; for the hostility of a great and generous nation gives no countenance to crimes, even against its worst enemies."

Mr. Fox then proceeded to advert to other topics of complaint under the head of insults, particularly a declaration of the first consul in his speech to the Swiss deputies. It is stated, that in that speech the Swiss were directed by him to beware of forming any connection with England. Although this declaration made no part of the official charges against France, at which he greatly wondered, Mr. Fox considered it as one of the strongest and most important grounds of complaint, of any which had been adduced. Where the first magistrate of a powerful nation tells another country, that it must have nothing to do with a third, it is an offence which ought to be made the subject of a grave and serious remonstrance. As it was only in the newspapers that he had read this fact, it might possibly not be true; but if it were true, if the first consul had really told the people of Switzerland that they must have no connection or communication with Great Britain, he had no difficulty in saying, that it ought to have been distinctly complained of, and explanation demanded of the French government. One of two things would have followed had this course been taken: if the words had not been used, they would have been disavowed, and so we should have received complete satisfaction; if they had been used, they might have been atoned for by

an apology, and we should thus have derived the benefit of teaching the first consul the propriety of abstaining in future from such offensive language.

Two other points, applicable to this branch of the subject, remained to be considered; the one regarded an expression in the *Exposé* of the chief consul to the legislative body of the state of the republic: it is there said, that "England alone is not able to contend against France." All expressions of this sort were highly to be condemned. Offensive comparisons serve only to create or inflame a spirit of mutual jealousy and national hatred. In his opinion, it would be much wiser to treat them with contempt. Of this, however, he was perfectly sure, that if they were to be noticed at all, they ought to be made the ground of an immediate demand for satisfaction; it was utterly wrong to suffer them to lie rankling in the minds of the people, and afterwards to bring them forward for purposes of mere irritation. The other point was the passage alluded to in the official papers on Sebastiani's report. With respect to certain expressions in that report, undoubtedly they contained very insulting matter, even if there were no other objection to it. Both the matter itself and the manner of expressing it, were highly injurious and unmanly. In one part of this report, a charge is brought forward against General Stewart for incapacity: such charges are indecent enough, when individuals only are the authors of them; but when governments adopt them with a view to wound the feelings of those who have no adequate means of resenting it, their conduct is to the highest degree unpardonable. And what can be more galling to the feelings of a man, especially of a military man, than to hold him out as incapable of his duty? Fortunately, in the present instance, this accusation of incapacity fell upon a worthy and distinguished officer, whose character stood too high in the service to be affected by such an imputation. But there was another and a more serious charge, a charge of giving encouragement to assassination, which assuredly demanded from the king's ministers the most prompt and vigorous remonstrance to the French government.

Such were briefly, Mr. Fox said, the complaints, and such had been the manner in which the king's ministers had treated those complaints, on the two heads on which he had argued, namely, the conduct of France towards foreign states, and the instances of insult, as distinguished from injuries, offered to us by the use of offensive language.

The next subject of difference was that of their seizing our ships and detaining our property, and the refusal to grant an adequate redress. In judging of these offences, it is fit

first to ascertain how far they have arisen out of the operation of hostile laws, and how far out of the partiality of their application. Most of the French laws on this subject Mr. Fox understood to have been passed during the heats of the Revolution, and to be still retained: in this case the complaint was properly against the existence of such laws; laws, to the last degree, unwise and impolitic. It was, indeed, highly absurd in France, with the desire to become a commercial nation, to make or to continue laws so inimical to the growth of commerce; but at the same time he must assert the right, not of France alone, but of every independent state in the world, and most emphatically of Great Britain, who stood more in need of indulgence on this subject than perhaps any other nation — the absolute and uncontroulable right, where no treaties exist to the contrary, to establish such exclusive laws for the protection of their commerce as they may think fit, and to put every prohibition they please upon the merchandize and shipping of other states. This was a right, which, whether well or ill understood, judiciously or indiscreetly made use of, it never could be disputed was inherent in every independent nation. Great Britain had always acted on these principles. Could it be pretended that any other power had carried them farther? Great Britain, it would be confessed, had an equal, if not a superior degree of interest in the general success of commerce, to any other nation in Europe, and yet we had passed many laws with regard to our own, the object of which was the total exclusion of all other states from a participation of its benefits. This was eminently the case in the act of navigation, which secured to us the monopoly of the West India trade: that act, which had been passed under the protectorate of Cromwell, was found to agree so well with all the principles of our commercial policy, that it was afterwards persevered in by the family who were restored to the throne; and to a steady perseverance in it, a great part of our commercial and naval ascendancy was owing.

Of the general principle, therefore, of protection by exclusive regulations, we had no right to complain. If the injuries offered to individuals had arisen from the nature of the laws of France, they were out of the present consideration: but if those individuals had suffered injuries contrary to the laws of France, or inconsistent with the provisions of any subsisting treaty, it was the business of government to procure redress. Of all the grounds of remonstrance which could exist, an insult or injury offered to a British subject, was that, in which, above all others, they would be sure of support: this matter, therefore, ought to have been wholly

left out of the king's declaration, for it was owing to the laches of the king's ministers if redress were not obtained; and if redress were obtained, the complaint ought not to have been mentioned.

Next came the subject of the commercial commissioners; and here Mr. Fox had no difficulty in saying, that as it appeared to him by the papers, that the persons who were sent hither under colour and pretence of being commercial commissioners, were military men, and in effect no better than spies, it was a shameful attempt to impose upon us for a most mischievous purpose; and therefore there was but one course to be pursued, namely, that of sending them out of this country immediately, and immediately also (for this was not a matter for delay) applying to France for explanation and satisfaction, for having sent them here under such false colours, and for such disguised objects. It might be asked why he, who appeared so strenuous upon this matter, and who had of late been so regular in his attendance in parliament, had never mentioned this circumstance before. His reason was, simply, that he did not know it before; and it appeared to him that ministers, by never naming it in parliament when all the facts were in their possession, did not think it a matter worthy of parliamentary investigation. He therefore could have no duty to perform upon the subject, because he knew nothing of the transaction; but if ministers knew of such an act of aggression, it was their duty instantly, not only to represent the matter, but to remonstrate upon it, and to demand satisfaction of France.

With regard to the manifesto which appeared in one of the Hamburgh journals, Mr. Fox conceived that there was the less necessity for mentioning it as a cause for war, since there had been a promise to disavow it on the part of the French government. The negociation had unfortunately broken off before that promise could be carried into effect; but the paper itself had been disavowed by Talleyrand distinctly; an assurance was given to our ambassador that the French government had not authorised the publication by their minister at Hamburgh; that his conduct should be strictly inquired into, and that full reparation should be given us. With regard to the contents of that paper, undoubtedly they were highly offensive. But what he objected to chiefly was the manner of its publication. If it were true (as it had been stated) that the French minister did actually insist on having it inserted by an order from the senate, it was impossible to conceive a more gross violation of the freedom of an independent state. We complain of this, and very properly. France says she will disavow it. In consequence of the rup-

ture of the negociation, that promise certainly was left unperformed; but from all that had passed on the subject before, there was no reason to think that it would not have been kept.

The language of the first consul in his interviews with our ambassador had been also the subject of much discussion. It seemed by many gentlemen to be considered as carrying with it such decisive proofs of a general spirit of hostility, as to completely justify the renewal of actual hostilities on our part. One public conversation at the Thuilleries, in particular, was triumphantly held up in support of that opinion. This conversation had been variously related, and certainly the acounts of several persons, present at the time when it took place, represent the language used very differently from the manner in which it is stated in the papers on the table. He thought it, indeed, a great misfortune that Lord Whitworth should have laid so much stress on the unfavourable nature of any verbal communication. He spoke this with reference to Lord Whitworth's private interview with the first consul. For that noble lord, personally, Mr. Fox professed great esteem, and a high opinion both of his judgment and his probity; but all men knew how difficult it was to retain in the memory every minute particular of a conversation of two hours, when no part of it was reduced into writing at the time. But whatever might have been the turn of it, it was worth considering, whether the offence given by the terms of such a conversation might not be overbalanced by the advantage of discovering the intentions of an enemy from his own intemperate language.

Having thus gone through the various charges advanced against the government of France by his majesty's ministers, as motives to war under the head of insult, he would observe, that whatever expressions were used by the chief consul, whether they were more or less favourable to pacification, it must always be remembered that words are very fleeting, very liable to misconception, and to be imperfectly reported; that, in short, they are of little or no value, except when they are accompanied by acts; but whatever interpretation these words of the first consul might really bear, certainly those of the right honourable gentleman opposite, (Mr. Addington,) on opening the budget, gave to this country fair hopes that we were in a state of profound peace. The members of that House could not have forgotten the language he used, when, at the close of the last year, he laid before them a flattering picture of the commercial prosperity of the country. From no part of his language on that occasion was it possible to draw any other inference, than

that he wished the House to believe that there "was not the least room to apprehend any interruption of the peace." So the right honourable gentleman's expressions had been generally understood by those who heard them. So they had been understood by the public. This opinion had been confirmed by facts infinitely stronger than the recollection of any member of that House; for, in addition to their speeches, ministers sent orders to give up the Cape of Good Hope a second time. They also manifested their disposition to surrender Malta according to the treaty. This was not only speaking but acting as if we were in a state of profound peace, for he would not suppose that ministers could be weak enough to give those orders when they had any real apprehension that the peace could not be maintained. Why did he insist so much upon this point? It was to anticipate an answer, and to guard against a species of reasoning, which he allowed to be fair in general, but which he denied to be applicable to the present subject, considered under the circumstances which had led to his majesty's message on the 8th of March. It had been argued, and in many cases it might be argued fairly, that a variety of subjects of complaint might exist between two nations, not one of which standing by itself would constitute a sufficient cause for war; but that these subjects of complaint, when accumulated together, might very justly become so. It was inferred from hence, that each article being, of itself, just ground of complaint, although not so great as to justify us in proceeding to extremities, might be borne separately, but that the accumulation of them was intolerable. He had not forgotten the old proverb, that "It is the last ounce which breaks the horse's back;"—and certainly a scale may be so nicely balanced that a feather more or less would turn it. "But if ministers were so enormously loaded with the injuries of their country, that another ounce would have broken their backs, and if at Christmas their difficulties were so nicely balanced that a feather would turn the scale, I tell them," said Mr. Fox, "that they ought not to have declared that 'they saw no ground for apprehending war;' for by saying so, they deluded their country. If the French had accumulated together such a mass of insults and outrages as to make ministers see that the period was coming at which they could no longer be endured, they are highly criminal in having flattered the nation so continually with the hopes of peace; and are guilty of the ruin and misery which has ensued from it to so many unfortunate individuals."

Mr. Fox came next to the great article on which the war rested, namely, Malta. Before, however, he considered any

of the arguments which respected the immediate state of the question relative to Malta, he thought it necessary to advert to, and to express his dissent from, some general opinions on this subject which had been advanced during the discussion. He could manifest his own no better, perhaps, than by following the course and order of the expressions which had been used by an honourable and learned gentleman (Mr. Dallas) who had spoken for the first time on that day, and on the acquisition of whose talents he congratulated the House; talents, the display of which was not unexpected to him, who had had an opportunity of admiring them on a great occasion in another place*. In giving his vote for the present address, the learned gentleman had vindicated the expediency of the war, as it was for Malta; as it was not for Malta alone, but for Egypt; as it was not for Egypt alone, but for India; as it was not for India alone, but for the vital interests of Great Britain. Every one of these four propositions Mr. Fox denied; he denied that Malta was worth a war by itself; he denied that Malta was worth it as essential to the security of Egypt; he denied that Egypt was essential to the security of India; he denied that our Indian possessions, with all their vast importance, which he knew and acknowledged as much as any man, were essential to the vital interests of Great Britain. All these points had been thoroughly discussed in the debates on the preliminary and definitive treaties. Not having himself much geographical knowledge applicable to the question of the importance of Malta to this country, he would rest his opinion upon authorities infinitely greater than his own on all such subjects, and most emphatically so on the present. He would not examine at that time the opinion given in great detail by an honourable general, a friend of his, (General Maitand,) during that debate; nor wherein it differed from that which he had formerly delivered; but he remembered well that on the discussion of the definitive treaty, authorities no less than those of Lord St. Vincent and Lord Nelson were produced to prove that Malta was not a convenient station for the protection either of Egypt or the Levant, nor worth the continuance of war for the sake of obtaining a commanding influence in the Mediterranean; he also recollected one of the most able defenders of the peace of Amiens, (Mr. Pitt,) while he was arguing upon the necessity of making some cessions with a view to obtain peace, stating, that if it were put to him whether those cessions should be in the East Indies, in the West Indies, or the Mediterranean, he would answer — "in the Mediterranean."

* Mr. Hastings's Trial before the House of Lords.

Mr. Fox confessed himself to have been of a different opinion, and that he should have preferred Malta, but still more Minorca, which he considered of infinitely more value than Malta, to Trinidada; but the opinions to which he had referred were sufficient to prove, that until the present moment no eminent man had attached that degree of importance to the possession of Malta, which it seemed to be now so much the fashion to attribute to it.

With regard to Egypt, Mr. Fox could not be persuaded that it was by any means the key to our East Indian territories; he could not help thinking, that from national sentiments of a most laudable kind, a degree of consequence had been attached to Egypt, which it did not in reality possess. The invasion of Egypt he had always considered as the most romantic and idle undertaking that ever was entered upon by France. Whether it was wise in us to undertake the recovery of it was another question. Great stress, however, had always been laid upon that expedition. The possession of Egypt had been the cause of continuing the war; its conquest from France had been the means of facilitating the peace. Egypt, likewise, was the theatre on which British valour became the most triumphant and British glory had been most signalized both by land and sea. The memory of our exploits in Egypt had impressed the minds of men in general with ideas of romance — with a sort of superstition which had given to that country an importance which had never before been discovered to belong to it; but surely it would not be gravely contended, that, because a British army had gained a splendid victory over the veteran troops of France, we ought ever after to insist on the possession of the spot on which that victory was obtained, in order to secure it from all harm, and protect it against any future invasion. What would have been thought of us if we had insisted on the plain of Blenheim after the battle, if we had regarded it as consecrated ground, never to be abandoned after that glorious event — an event not to be less highly valued than the achievements of a Nelson at Aboukir, or of an Abercrombie and a Hutchinson in Egypt? What seas should we ever quit, or what territories should we ever surrender, if we were to retain all that had ever witnessed the triumphs of the British name?

"With regard to the East Indies," said Mr. Fox, "I conceive it to be a very exaggerated statement of their value to call our possessions there the vital strength of the British empire. Surely the learned gentleman (Mr. Dallas) will not venture to describe our dominion in the East, or the fame which has attended our acquisition of it, in quite such

enthusiastic language as that in which he has dwelt upon the classic glories of Egypt. That part of the world, undoubtedly, has contributed most of any to the vast increase of our dominion; it has not contributed in an equal degree to the honour of the British name; — it is not there that our character stands the most unblemished. And here I cannot help considering, while we are calling other nations to account, while we are crying out against the aggrandizement of France since the signature of the treaty of Amiens, whether others might not ask, which of the two nations has aggrandized itself the most, France in Europe, or Great Britain in India? Have you not added vast territories to your empire in India, just as France has done to hers in Europe, some by the effect of war, and some by direct annexation? I rather think, if you go back a little, and look at certain transactions, few countries would suffer more in character on the score of aggrandizement than Great Britain. We lay stress on aggrandizement in Europe, and they may do so on aggrandizement in India; nor, do I know what defence we can set up against the accusation, unless we adopt a humourous one, which is said to have been made by a lady, who, on her return to Europe after a long residence in that part of the world, was charged with some irregularities of conduct, and who, having been questioned as to several specific instances, exclaimed, "No, never! never, upon my honour, *on this side of the Cape of Good Hope!*" But on the subject of Egypt — I wish to know whether I am to understand what has been advanced as an hyperbole of eloquence, or a grave determination. Are we to go to war the instant the French only think of Egypt? Is this the first time they have thought of it? Did not M. de Vergennes in 1786 entertain such a plan, and employ an agent to go to Egypt for a purpose similar to that which appears in the report of Sebastiani? The right honourable gentleman opposite to me (Mr. Pitt) was then minister. How did he act? Did he make war on France? Did he remonstrate? Did he ever offer a representation upon the subject? No, Sir; he entered into no dispute with M. de Vergennes, but he entered into a treaty of commerce with him."

Mr. Fox then entered more at large into the discussion of the article concerning Malta, which formed, as he contended, the substance of our whole immediate dispute with France. It was clear and indisputable that we had bound ourselves to give up the possession of Malta when it should be in a certain state. The 10th article of the treaty was said to have been entirely and solely drawn up by the ministers of this country. That article he desired to be read. [It was read accordingly.] By this it appears, that ministers bound themselves

to surrender the island to the order of St. John, within a given period, when the three contingencies following should have happened: 1. When a grand master should have been appointed; 2. When a garrison of Neapolitans should have arrived to take possession of the place; and, 3. When certain powers should have been invited to guarantee its independence. These conditions have been fulfilled. The grand master has been chosen; the Neapolitans have arrived; and Russsia, Prussia, Spain, and Austria, have been invited according to the stipulation to become the guarantees. Ministers knew very well,—they could not pretend to assert the contrary,—that the completion of this last stipulation was not deemed essential to the two former, or a *sine quâ non* of the evacuation of the island. It is stated, however, that there were other important articles to be executed before ministers could be peremptorily called on to fulfil this part of the treaty. Certain revenues were to be appropriated to the maintenance of the order; and these revenues having been confiscated, and the priories abolished in Spain and Bavaria, ministers gave us to understand that these acts were done by the contrivance of the French government, in order the more easily to obtain repossession of the island; consequently, that we ought to continue the occupation of it ourselves. The reasoning of ministers on this point he was at a loss to comprehend. According to their argument, France, it seems, always wished to throw difficulties in the way of our executing that part of the treaty. What! to throw difficulties in the way of our giving up Malta? No—but difficulties in the way of our being enabled to do so with safety to ourselves, which amounted to the same thing. This would be a singular policy enough, considering the earnest representations made to us to evacuate the place, and the eagerness alleged to be shewn by the first consul to get into it. But, of what nature were those difficulties? Certain priories had been abolished. Of what advantage could their abolition be to France? What! was it from the knights of Spain that the first consul apprehended such an opposition to his schemes, that he determined upon reducing them to beggary, by sequestrating the funds appropriated to their support? Was it from the sturdy knights of Bavaria that he feared such a resolute resistance, if they should once get a footing in the island, that he should never after be able to prevail over the independence of the order? What, he would ask, could France expect to gain by such a proceeding? What other effect could it have, except that of giving us a pretence for delaying the execution of the treaty, on the ground of the inability of the order to maintain itself, and to garrison the

island? But even this case is provided for: If the knights should not be strong enough to take charge of the place at the period fixed for its evacuation, the Neapolitan troops were to stay so much the longer. If 2000 Neapolitans should not be found sufficient to hold it until the definitive arrangements, provision is made for the sending of more. The native Maltese shall have half the garrison, and if the order should not be strong enough to supply the other half, they may recruit for the remainder from the natives of those countries, and it is limited to those countries only, that shall continue to possess langues, while the general independence of the island is provided for under the guarantee of Great Britain, France, Austria, Russia, Spain, and Prussia. All these powers, except Russia, had formally undertaken the guarantee; the only remaining difficulty, therefore, was to procure her accession to it. Ministers seemed to be very angry that the French were not so much in earnest as themselves for Russia to become a guarantee of the arrangement. It would have been better, to be sure, if they had been equally so; it surely was natural, however, considering all things, that we should testify rather more anxiety than the French for the object in question. A requisition had been made by us, in which France afterwards joined, to the Emperor of Russia to become a party to this article of the treaty, and we received in answer a proposal from Russia, accompanied by a note, which Mr. Fox was astonished had not been laid on the table of the House. In the note with which this proposal was accompanied, a most extraordinary circumstance first comes to light. It appears that the Emperor of Russia had previously made known to us, that he could not consent to become a guarantee, unless that part of the article, which provided for the establishment of a Maltese langue, should be abrogated. It appears too, that at the very time we were pretending so much earnestness about this guarantee, and soliciting the emperor to accede to it, we knew it could not be complied with; we knew why it could not be complied with; we knew that a compliance with it would be "inconsistent with what had been agreed upon anterior to the treaty of Amiens between his imperial majesty and ourselves, with respect to the order of Malta, and the independence and neutrality of the island." It appears, nevertheless, that for the sake of obliging respectively Great Britain and France, and this not for Russian purposes, but for the most laudable of all purposes, namely, the preservation of the peace of Europe, his imperial majesty is ready to become a guarantee on any other condition whatever, which could be thought of as necessary, or best calculated to secure the independence of the island. This proposal is refused. Why? of what possible conse-

quence is it to us whether a Maltese langue should exist or not? And what other steps do the ministers take to provide for the re-establishment of the order? They immediately propose to France that she should consent to our keeping Malta for ten years! Here, therefore, is the tenderness of ministers for the rights of the order of Malta! Let us but have the place for ten years, and the knights may go back to Rome if they please, and shift for themselves as they can! Ministers require what they call additional security and indemnity, and thus the British faith is violated, and a solemn treaty remains unfulfilled. As to any compensation, or any security to the Maltese themselves, against either France or England, there could have been no difficulty in procuring it, when so important an object as that of preserving the British character clear and unblemished, and of carrying into effect the spirit of the article of the treaty, was in view.

After all these difficulties, however, respecting the langues and the sale of the priories, and so forth, had been got over; — after the question of the guarantee itself had been so settled as to induce government to take measures towards evacuating the island according to the treaty, appears the report of Sebastiani, and instantly the whole system of ministers is changed! That report contained the proof that an accredited military agent had been sent by the first consul to take a survey of the different parts of the Turkish empire, particularly Egypt, and also perhaps to hold out to the people of that country some ideas of a future connection with France. That the mission of Sebastiani made a disclosure of the wishes and ulterior views of the first consul, Mr. Fox was ready to acknowledge; but was it any new discovery? Bonaparte had a desire (and here he adverted to the distinction drawn by Mr. T. Grenville, between a desire and a design,) of recovering Egypt. It is said that, having that desire, the moment he sent a military person thither, he gave a proof of his design to attempt the reconquest of it. This seemed to Mr. Fox an unwarrantable conclusion. What was published with regard to General Stewart, indeed, was grossly insolent; but the other part of it which regarded Egypt, was, in any view to its re-occupation, perfectly absurd. To find out that it was absurd was no great discovery, and required not the testimony afforded by the internal evidence of the paper itself; and as to the boasted refinements of French policy and prudence, surely they would have found out a better mode of insuring the success of an expedition to Egypt (if an expedition had been seriously their intention,) than by publishing the letter which disclosed it. "If, however, the desire to obtain Egypt, such as it is proved by that letter, be a sufficient ground for war,"

said Mr. Fox, "again I repeat it, you never can be at peace, and you never could have been at peace, while the house of Bourbon was on the throne of France. Name the year since the peace of Utrecht in which you could have been at peace, if such a proceeding as this would have induced you to go to war? I am not now speaking of any of the revolutionary governments, or of the anarchy of France, but of the government of France under the regular rule of the house of Bourbon. Look at the several treaties of peace of 1749, of 1763, and of 1783: After the conclusion of peace on each of these occasions, one year did not elapse before France shewed some signs of hostility to this country, against the true spirit of those treaties. And what is there of novelty in the present proceeding? I wish to know of those in any degree conversant with modern history, whether they have never heard of the military embassies of the French governments? of the surveys taken by those to whom the embassies were entrusted, and of the means adopted by them to sound the dispositions of the people through whose countries they passed? I have, Sir, in support of my assertion, a remarkable and a powerful authority in the noble lord opposite (Hawkesbury). That noble lord told the House in his speech upon the peace, that scarcely a twelvemonth had elapsed after the conclusion of the treaty of 1783, before the restless spirit of the court of France began to shew itself in India, and to manifest views, in that quarter of the world, inconsistent with the treaty just concluded, and incompatible with our safety. Am I, then, to understand that, if the noble lord had been secretary of state at those different periods, he would have advised his majesty to declare war against France? If I am, then I say we should not have had peace for any one whole year from 1749 to 1803."

Mr. Fox next proceeded to comment on that part of the conversation between Lord Whitworth and the first consul, which avowed his general views relative to Egypt. The ministers had appeared greatly alarmed at their disclosure. He confessed that he could not see in that disclosure any fresh ground of apprehension, as it taught them nothing they might not have been fully aware of before; nothing, indeed, which they had not themselves proved that they were aware of before, by the very act of their stipulations on the subject of Malta. Some of the conversation had been misrepresented in a manner unworthy the importance of that debate. Whatever might be his opinion respecting other parts of the chief consul's conduct, on which he had not been backward in saying what he thought, — whatever he might think of many passages in that conversation, he would own that it

appeared to him to carry with it a certain character of frankness which he could not find it in his mind to condemn. He tells us fairly, that, although he could have had Egypt, it was no object for him to have had it at the risk of a war; and war was not for his interest. It was not for his interest to risk a war for Egypt, which one day or other, he tells us, would probably fall into his hands either by negociation, or the dissolution of the Turkish empire. Now, was not this reasoning, the reasoning namely of interest, the common and ordinary motive which influenced every transaction between man and man? Were we, therefore, to deny it all credit here? "Were I to argue with the learned gentleman whose propositions I have denied," said Mr. Fox, "I should maintain, affirmatively, that Bonaparte had no intention of going to Egypt — not because he has declared he has none — but because he has with reason declared it not to be his interest to do so. He says, "I could have taken Egypt." Now, how is that expression represented? Is it to be fairly interpreted by saying, "I will endeavour to take Egypt?" "Could have taken it," is different even in the most obvious grammatical sense from "I will try to take it," or "I design to take it." The meaning in the present case is fixed by the very words of the conversation itself, which asserts the facility with which the first consul could have taken Egypt with the very troops he had sent to St. Domingo. It is the discovery of his designs, however, in the event of the dissolution of the Turkish empire, which determined the ministers to go to war with him immediately. Why? Is this singular in Bonaparte? Was the dissolution and partition of the Turkish empire an event never contemplated before? Does any body doubt that the Empress of Russia had a "desire" for Egypt, and something more than a desire that her family should obtain the sovereignty of Constantinople? Nay, was not the circumstance of her christening her grandson by the name of Constantine, very generally attributed at the time to such views, and supposed to be done for the purpose of suiting the name to the intended station? But would it not have been thought monstrous that you should have gone to war with Russia on that account? But desire and design are the same thing — are they? Apply this to your own case. We had a desire, as it is manifest by Mr. Moore's mission, to interfere in the affairs of Switzerland. Did that desire ever ripen into a design? No, certainly: and the attempt was never made, nor even the design formed; for the best of reasons, — because it was found to be impracticable. It has been said, however, although no such design appears in the papers before us, that Bonaparte had proposed to some

power of Europe to divide the Turkish empire. Now this of itself proves the distinction which we ought to keep constantly before our eyes, in considering the question of desire and design. To propose a project to another power is a proof of a desire, but when you abandon it on account of the impracticability of the execution, you cannot surely be then said to have any design. You may, indeed, still retain the desire, but the moment you find the execution impracticable, it would be madness to harbour the design, because rational design can never be entertained without some probability of success. But it is said that this design is sufficiently declared in the report of Sebastiani, for all the purposes of justifying the war. Now, what if Bonaparte had heard somewhere that you had a desire to occupy and to retain the Cape of Good Hope, and that you openly declared that as he was a man who kept no faith with others, no faith ought to be kept with him; what if he were to couple such a declaration with another, "that the minister ought to lose his head who gave up the Cape of Good Hope," and afterwards were to add to these presumptive evidences the fact of its being in your possession — I ask, whether Bonaparte might not call that the indication of a design on your part of retaining the Cape, with full as much justice as you infer from his declaration a design of occupying Egypt on his? But it is argued, that the mere act of sending Sebastiani is sufficient ground for war. Now this fact ministers must have known from General Stewart, by his dispatch of the 30th of November. The arrival of Sebastiani in Egypt, and his transactions there, were circumstances which General Stewart could not have failed communicating fully to our government. The publication of the report, also, is adduced as evidence of the intention, and it is asked, whether any man will publish what he does not intend to act? The value of Egypt, too, to Bonaparte is stated in addition. Now, if he really thought Egypt of that value, and if he wanted the key to it first, which is said to be Malta, for the surrender of which he was treating with us, can we suppose that he would have published his intention with regard to Egypt, as the means of prevailing on us to give him up Malta? No! the proposition is absurd and ridiculous on the face of it; nor would it be possible to account for such conduct at all, unless we at once believe Bonaparte to be a madman."

Mr. Fox next adverted to a part of the negociation, which he professed to be, to him, utterly incomprehensible. "I am come to demand satisfaction," says Lord Whitworth to the French minister. "What satisfaction?" asks M. Talleyrand: — "Why, really, as to that I cannot tell you,

but I will send to England to inquire." Finding that they do not obtain satisfaction, for the best of all reasons, because they themselves do not know what to ask, the ministers change the point of satisfaction into one of security, "What security?" says the French minister. "Why that I can't tell," answers Lord Whitworth, "but I will send to know." Well! it turns out that the security we want is the possession of Malta in perpetuity; next the possession of it for ten years, which, for all political purposes, amounts to a perpetuity; and then a number of other demands are thrown together, and the King of Sardinia, like the ghost in a tragedy, comes in at the last scene to unravel the plot, and bring about the catastrophe of the piece. He was dead and buried, it is true, long before the play began; no part was assigned him in the drama, but brought in at the stage-door towards the close of it, and coupled with Malta, ministers thought he would add greatly to the grandeur of the scene. At the conclusion of the treaty of Amiens, the King of Sardinia, together with many other princes, had been set aside, one by one. Ministers said that they had difficulties enough of their own, and that therefore they would have nothing to do with any of them. But when they came to insist on keeping Malta, and discovered that a war for Malta alone would not be very palatable to the people of England, they produced the King of Sardinia. They had a double purpose in this. The abrupt demand of Malta might have been revolting to the feelings of the first consul. By bringing forward, therefore, the King of Sardinia in the quarrel, and abandoning him afterwards in the negociations, they would appear to soften their demand of Malta; while, on the other hand, they appeared to stand forward as protectors of a prince, in whose fate the Emperor of Russia took a warm interest, and whom, if they gained nothing for him, they would at least leave in no worse condition than he was before. In addition to this, they required that Switzerland should be evacuated, and, as a condition, offered to acknowledge the King of Etruria, and the Cisalpine and the Ligurian republics. Now what could ministers seriously expect from such an offer? Did they really suppose that the first consul would care one straw whether the establishment he had made in Italy, should, or should not, be recognized by this country? Did they doubt that Bonaparte, in answer to their proposal, would beg of them to follow their own fancy on this point, and recognise or not as they might think convenient? "I am not sure," added Mr. Fox, "whether many persons who hear me are acquainted with the fact, but I believe it

to be certain, that the United States of America, whose independence, under that name, was acknowledged by France in 1778, and what was much more important, by Great Britain in 1782, never was acknowledged by the Empress of Russia to the day of her death; yet I never heard that America was the worse from the want of the recognition of her independence by that imperial princess. Nor did I ever hear that France, which had so large a share in the establishment of that independence, was disposed to quarrel with Russia for declining to acknowledge it. Nor, indeed, could any such refusal affect America. For what is recognition? nothing but mere matter of course, except as it may be connected with a claim. We gave up a great deal to America, when we acknowledged the independence of the United States. Why? because we had a claim to the sovereignty of them. The United States were not injured by the refusal of the Empress of Russia to acknowledge them. Why? Because Russia had no claim upon America. The recognition of the King of Etruria by the emperor, indeed, is very different. From him it is a boon, and a great one too; for by so doing he abandons all his claims upon those territories. But we, in offering to acknowledge the King of Etruria, or the other changes in Italy, grant no boon to any of them. We have no claim on Tuscany — we have no claim on Milan — we have no claim on the Cisalpine or Ligurian republics: whether we acknowledge them or not, therefore, is matter of no importance to them, and is only a consideration of convenience to ourselves. The importance to France of such a boon cannot, consequently, be contended for with any reason. What, then, is the result of all this? Why, that you suffered the opportunity to escape you, and, instead of interposing with a generous magnanimity for the protection of Holland; instead of looking to that country which stood in immediate need of being rescued from the most grievous oppression, in whose favour you might have roused all the indignant sympathies of Europe, and in whose cause you might have hoped for the co-operation, more or less, of the different great powers of the continent, you rest the whole quarrel with France on a point of sheer, naked, British interest, on your possession and occupation of Malta; a point in which no other European state can feel an interest, or entertain a wish in common with yourselves. You have reduced this whole question to such an issue, that, except possibly the Turks, the value of whose alliance is easily appreciated, no other power can be induced to come to your aid by the sense of a common interest. You have deprived yourselves of every advantage you would have had from the admiration and from the good will of mankind, and

you have sent your cause into the world, stripped of every motive to union, derived either from their interests or their virtues.

But can peace yet be made? I think it may. It has been contended that the Emperor of Russia still refuses to guarantee Malta. Is that quite so certain? But be the fact so, or not, are not the communications from that excellent prince of such a nature as to encourage the hope, that for the sake of preserving the peace of Europe, he is ready to interpose his mediation, in order to reconcile the present differences with France? Has he not actually offered that mediation? If you accept it, will it not appear to all Europe that you ask only for justice? And will not that be of more consequence to you than any other consideration? Justice, believe me, is a very powerful weapon for you, if you choose to use it, and if you accept the mediation of Russia, the justice of your object will be palpable to the world. But I ask you to do so for another purpose. I ask you whether it would not be better that Malta should be in the hands of the Emperor of Russia, than ceded to Great Britain? Whether, with a view to the future peace of Europe, and of affording a fairer chance for its continuance, it would not be better that the Emperor of Russia should be the occupier of Malta, as between Great Britain and France, than that it should be absolutely in the hands of Great Britain? I certainly should consider the guarantee, under the terms proposed by Russia, the best of all. Why? because it would secure the friendship of Russia; and because our having it even in full sovereignty cannot be put in competition with that friendship. In this war, in the course of any future war with France, which would you prefer, Malta, or the friendship of Russia? I can have no hesitation in answering — the friendship of Russia. And that you will secure it by accepting the proffered mediation, is a point on which I have no difficulty of belief; for, if the accounts I have heard of him be true, (although accounts of princes must be received, with many allowances,) the Emperor of Russia is a prince who places his glory in a true love of peace, who will naturally feel a still deeper interest in any peace which he might become the instrument of preserving, and whose wishes, therefore, must incline towards that party, the views of which should appear most congenial with his own. To obtain his good offices for the restoration of peace, is, in my opinion, of more real consequence to us, and to all Europe, than our possessing Malta under any circumstances. But is there not great probability of our being enabled, through these means, to preserve and consolidate the peace on a much broader basis than that of settling the present dispute concerning

Malta? Suppose that illustrious prince were not only to guarantee Malta, but were to enter into guarantees upon a still more extensive principle—to guarantee Egypt to the Turks, for instance. Would not that be worth a thousand Maltas? I go still further. By what I have heard of the Emperor of Russia, from a quarter on which I think I can rely, he is disposed also to look to the freedom of Switzerland and of Holland. I do firmly believe, that under his mediation and guarantee, undertaken upon a large scale, not only Switzerland and Holland, but perhaps even Spain, might recover their independence, and afford you thus an additional security for peace, or assistance in any renewal of the contest. On these large and liberal principles of policy, other powers might be brought to concur with you; whereas, if you are seen to pursue nothing but your own sordid, separate interests, you will obtain no cordial assistance, and you will conclude no solid pacification.

The invariable demand of France upon us, observed Mr. Fox, to evacuate Malta, has been confined simply to its evacuation according to the terms and stipulations of the treaty. Had we felt ourselves and the rest of Europe in such a state of insecurity as we seem to apprehend from the great power and ambition of France, better would it have been by far to have abrogated the whole treaty at once, and to have declared that, as it was incapable of execution in one of its material articles, it was unfit for execution in any. But, if France had done so! France is said to have no feeling of honour. Let us put the case fairly to ourselves, and suppose, that by an article in the treaty France had bound herself to give us the Mauritius. In what terms should we not exclaim against France, if, alleging our detention of the Cape of Good Hope as a proof of our *malus animus* towards her, she had refused to surrender that possession? What should we think and say of such an excuse, grounded on such a proof of our hostile disposition? France, however, had not made the demand of Malta for herself: it was only to the leaving it in our hands that the first consul had uniformly refused his consent; he had raised no difficulties to its occupation by other powers; it had been directly offered to Russia. Even with regard to its evacuation by the British troops, he had fixed no precise time, had insisted on no immediate step towards its performance. This conduct certainly bore no appearance of imperiousness or arrogance. It is answered, however, that it was but an assumed moderation in the first consul, put on for the sake of his immediate interests; and that his real design was war and aggression, whenever the moment should be more favourable. His merchant ships are now at sea: he

waits their return into the French ports; and while his country is exposed to danger at so many different points, the present, it is argued, is not the precise moment at which he would begin a war with us; but for this he will choose his own time. Be it so. Supposing the advantage to be on the side of Great Britain now, would it not continue in nearly the same degree during the rest of this year, or the next year, or the year after? And what was the nature of this advantage as applicable to the question at issue? Should we not always retain it? Must not French commerce, during the continuance of our naval superiority, always remain to the same degree a pledge in our hands for the performance of the engagement which constituted the subject of the present dispute? That engagement was the independence of Malta. If Malta, indeed, were occupied by France, it might be right to make use of our immediate advantage, to oblige her to restore the island to its independence; but now what should we gain by threatening the first consul to block up his ports, to capture his ships, and ruin his commerce? Nothing but another promise; a promise that, during a certain time, he would not disturb us in the occupation of Malta. And, did the experience of mankind, did the evidence of history furnish a ground of reliance on promises of this sort? Did promises give any real security for the performance of stipulations? Granting the first consul to have entered into any engagement on this head that we might have required, if his ambition be of that nature which is ascribed to him, could we be simple enough to hope that he would really leave us in the unmolested possession of Malta, and that he would not insist on our evacuating it the very instant at which that opportunity should occur for which we now suppose him to be waiting? The futility of such promises, and the little scruple with which they were evaded, could be no better illustrated than by the conduct of Francis I. when a prisoner at Madrid, after the battle of Pavia. This monarch, it is well known, was obliged by Charles V. to subscribe, for the recovery of his liberty, to conditions of so harsh a nature, that it was foreseen great objections would be made to their ratification by the states of France. He was compelled, therefore, to engage to return to Madrid in the event of failure, and this engagement he conceived himself to have well and faithfully performed — by building and residing at a house in the Bois de Boulogne, which he called Madrid. On the other hand, while we were pursuing the light and frivolous advantages which a promise of this sort might hold forth to us, we lost the benefit of another, which, as far as it went, was much more valuable and solid. It cannot be denied, that he who makes a promise puts himself to a certain degree in the power

of the party to whom he makes it. The independence of Malta was provided for by the treaty. The engagements of France on this head are solemn and positive. If, then, upon our evacuation of the island in consequence of that treaty, the first consul of France were to attempt any thing against its independence, we should derive, in any quarrel we might have to sustain with him on that account, all the benefit (and a considerable one it would be) arising from the disadvantage in point of general character and estimation, to which our adversary would expose himself by such a breach of promise. But all advantages arising from this state of things, such as it might be, we have totally foregone, by resting the dispute with France upon its present grounds.

The charges of arrogance, and of a superiority assumed by the first consul in his language towards this country, are further urged and supported on the testimony of his conversations with Lord Whitworth, to which allusions had been so frequently made: those conversations are said to have been not only offensive in their tone, but in their substance. Mr. Fox could see no foundation for this species of charge in the long conversation with Lord Whitworth, on which so much stress had been laid, and some expressions of which had been so triumphantly quoted. What was the report of those expressions, as given by Lord Whitworth himself? Does the first consul say haughtily to him, "I will come and crush you—*Je vous écraserai?*" Just the reverse. He tells us plainly and directly indeed, that he shall attempt to invade us; but he says also, that he knows the chances are a hundred to one against his success; that it is a hundred to one that he and the greatest part of the expedition would go to the bottom of the sea. He talked much, and with great earnestness, on this subject, but never once affected to diminish the danger. Yet this declaration of the first consul, of the almost utter hopelessness of any enterprize he might attempt against us, is quoted as a proof of his arrogance and presumption! "Whatever else there may be in it," said Mr. Fox, "there certainly is in this conversation no tone of superiority; on the contrary, it is an acknowledgment of superiority on our side. To call it arrogant or presumptuous, or to say that it is offensive in its tone, or in its substance, appears to be a very whimsical imputation. It reminds me of the most extravagant passage that is, I believe, to be found in a great, and, with me, most favourite poet, and who, notwithstanding the frequent instances of the same sort which occur in his works, is one of the finest in our language, I mean Dryden, who, in the most extravagant, perhaps, of his pieces, and into the mouth of Almanzor, puts a sentiment which has always appeared to me

to outsoar every flight allowable to the wildest fictions of the imagination. In the Conquest of Grenada, his hero, who is burlesqued in the Rehearsal, under the character of Drawcansir, says, in anger to his rival —

> " Thou shalt not wish her thine; thou shalt not dare
> To be so impudent as to despair!"

Now I confess, notwithstanding what I may have thought of the extravagance of my favourite poet, that I had overrated it. I had thought that no case could happen to give common sense to those expressions, and make them applicable to real life. I thought them the daring efforts of a vivid genius, aiming at the summit of poetical hyperbole; but now I find that Dryden gave only a tame, prosaic account of a matter of fact, a few years before it happened! He says, " You shall not wish, you shall not dare, to be so impudent as to despair!" Bonaparte says, he despairs of success in his invasion of England, and for his pride and impudence in despairing, as well as for his presumption in telling them so, ministers think no punishment too great. Now I profess myself to be one of those who agree in this respect with the first consul, and who think that in this despair there is infinitely more good sense than arrogance. I think it is full a hundred to one that he and the greater part of his expedition would go to the bottom of the sea, if he should attempt a descent on our coast. I certainly think this, and I am very glad to find that Bonaparte is of the same opinion.

Having closed the argument under these different heads, Mr. Fox proceeded to the summing up of his opinions on the whole of the question before the House. He said, that after the ministers had suffered the continent to be reduced to its present state; after they had submitted, without remonstrance, to every encroachment of French ambition, after they had left Holland and Switzerland to their fate, and all the smaller states of Europe under the dominion or the influence of France, he could not think the war they were now undertaking for Malta, plain Malta, either wise or justifiable. What, however, it might be asked of him, would he himself propose under the present circumstances? It was his opinion, that peace was not even then desperate, if proper means were resorted to — means which presented themselves at that very moment, and which were in every way consistent with strict honour, and with a large and liberal policy. He recommended to his majesty's ministers, without delay, to avail themselves of the opportunity which then offered, and

to co-operate with the wishes which he understood to have been expressed by the Emperor of Russia, for the preservation of the peace of Europe. He recommended, and again enforced, the acceptance of the Russian mediation, not for the sake of procuring the guarantee of that power for Malta merely, but with a view of extending it upon a grand, comprehensive scheme of policy, and in concert with other great powers, to the protection of the weaker and more defenceless states, and thus ensuring, as far as stability could be expected in human affairs, the solid and permanent pacification of Europe. What, he asked, was the other side of the alternative? — War! And what would be the probable effect of resorting to it? He had already touched on the conduct of the first consul, and some of the reasons which had been assigned for it. He had touched also on the state of the inhabitants of other countries, none of whom, he feared, would be improved in their condition by war; but he must now come to that body of people whom he had often declared to be more emphatically his clients — the people of England. He would, for the moment, put out of his consideration all questions of danger to ourselves. He would suppose Bonaparte to feel the truth of what he himself had declared, namely, that he despaired of success in attempting a descent — he would suppose that all parts of our empire were at present secure, and that even in a protracted war, there would be no probability, no possibility (if gentlemen would take it so) of affecting us in any quarter by invasion. Even in this state of security, however, what was our situation? Had we forgotten the two last years of the last war? Had we forgotten the state and condition of the middle classes of society in this island; of every country gentleman of a limited income, of every tradesman, indeed of every man in it who did not possess a very large fortune; had we already forgotten how the late war had pressed upon them? Let us recollect these things; let us recollect the circumstances which occurred in the course of that war; what we all suffered by the immense loads that were laid upon us to support it — their grievous and most intolerable weight, and the cruel and grinding measures of every description, under which this country had groaned during so many years. Could ministers, with these recollections in their minds, bring themselves again to precipitate their country into miseries, so horrible in their nature, and so easily to be avoided? What had we now to expect? He had heard, indeed, some talk of an economical war. But even this economy (difficult as the word was at all times to understand when so applied) was now explained to consist in the adoption of measures leading

to an immense and immediate enlargement of our expences. We were told that we must make great exertions. And what exertions? Exertions beyond any thing we have ever yet known; far beyond what were found necessary during the glorious war of Queen Anne; far beyond those by which we obtained that pre-eminence which has immortalized the memory of the late Earl of Chatham; far beyond even those of the late war itself. And by whom were we told all this? If by some gentlemen who had no experience in politics, and under whose guidance we had not already suffered; if by some orator, as a mere figure of speech without a meaning, and by way of a flourish in debate, for such a purpose it might do well; but we are told this, not by a novice in the art of extortion, but by an artist! "If a man without experience or reputation," said Mr. Fox, "examines my case when I am ill, and tells me, 'You must have a limb cut off to save your life,' I might still hope for a cure, without having recourse to so dreadful a remedy; but, if the skilful practitioner, the regular doctor himself tells me so, after consultation, if the experienced operator, under whose prescriptions and directions I have already suffered, tells me so, I know what I must endure! If he tells me, 'I must pull out all your teeth; I must cut off part of the extremities, or you will die,' I have only to prepare for the operation. I know the alternative is death or torture. This great artist, this eminent doctor, (Mr. Pitt,) has told us that, much as we had already been distinguished for exertion, what we have hitherto done is nothing. We have hitherto been only fighting for morality and religion, for the law of nations, for the rights of civil society, and in the cause of God. Resources fully adequate to such minor objects, the right honourable gentleman assures us, we have already employed: but now we have a contest to sustain of a higher order — a contest which would compel us to strain every remaining nerve, and to call for sacrifices new and extraordinary, such as had never before been heard of in this country. We are told, that within a month, within a fortnight perhaps, a plan must be formed for raising many millions of money, in a mode different from any that has hitherto been attempted. It was not to be a pitiful expedient for a single year; it was not to be an expedient similar to those adopted by Lord North during the American war, or by the right honourable gentleman himself for nearly the whole of the last war; but it was to be a plan which would last for ever, or at least until two or three hundred millions should be raised by it. Severe measures for general defence are also announced to us as necessary within a fortnight; plans of which no man can as

yet form a conception, but which ministers are to reveal to us in due time, and when they shall have reached their full maturity of wisdom.'

The income-tax was felt heavily by most of the members of this House, although many of them are in the superior ranks of fortune — heavily, indeed, by all descriptions of persons in the country, except the most opulent, or those in the lowest class of labourers, who were too poor to be made the objects of it. I believe there are now near the projectors of that tax, many persons who felt the gripe of it most keenly, although some of them were so situated that it was not prudent for them to complain. That tax did, indeed, affect every person of any condition in this country, but affected them very differently. The possessors of their thirty, their twenty, their ten, and even their one thousand a-year, felt it as nothing, when compared to the possessors of only their two, their three, their four, or their five hundred. Ask that numerous and intelligent class of persons how they felt the income-tax? I am speaking of the poor old income-tax, not the tax now about to be imposed — I speak of that mild and gentle operation, which seized only upon one-tenth of a man's income, and not of a measure which may exact a fifth, and possibly a half; a measure, too, which must be improved in the mode of its execution, since the greater the sum to be raised by it, the more rigorous must be the inquisition. Let no man now look to his holding a pound without giving possibly fifteen shillings of it to government towards the support of the war; let no man be too confident that an inquisitor may not be empowered to break open his desk, in order to search for the other five. And all this for what? For Malta! Malta! plain, bare, naked Malta, unconnected with any other interest! What point of honour can the retention of Malta be to you? Something of that nature may be felt by France, but to you, I aver it is, as a point of honour, nothing. "But it may be prudent to keep it." Is the keeping it worth a contest? Does the noble lord think it so? On the contrary, is he not of opinion that it is not? "Oh! but we are to oppose the aggrandizement of France, the ambition of Bonaparte, which will destroy us like a liquid fire." We have, indeed, heard some splendid philippics on this subject; philippics which Demosthenes himself, were he among us, would hear with pleasure, and possibly with envy; philippics which would lead us directly to battle, without regard to what may follow; but then comes the question — What shall we have to pay for them? What is the amount of the bill? I remember an old French proverb, and I am not afraid of

being deemed too much of a Frenchman if I should quote it: the proverb seems almost an answer to one in English, which says that "things are good because they are dear." The author of the French one, however, tells us that, let things be ever so good, yet if they are dear, he has no pleasure in eating them, "le cout en ôte le gout." Now so it is with me, when I hear the harangues of the right honourable gentleman in favour of war, I think the articles drest up are exquisite, but that the cost spoils the relish. However, these philippics are not new to us. I remember when Lord Rosslyn, (then Mr. Wedderburn,) made a vehement and eloquent philippic before the privy council against Dr. Franklin, calling him "a hoary-headed traitor," and so forth. I remember the prodigious effect produced by this splendid invective; so great was it, that when the privy council went away, they were almost ready to throw up their hats for joy, as if they had obtained a triumph. Why, Sir, we paid a pretty dear price for that triumph afterwards! In the beginning of the last war, we had abilities, which we now enjoy no longer, and which no one remembers with more regret than I do. There was no want of imagery, no want of figures of rhetoric, no want of the flowers of eloquence;—eloquence seldom equalled, and never surpassed by man, and all exerted to support the war. We know how that war ended, and the damp which was cast upon our ardour at the sight of the bill when it came to be paid. So now, when I hear all these fine and eloquent philippics, I cannot help recollecting what fruits such speeches have generally produced, and dreading the devastation and carnage which usually attend them. The right honourable gentleman, when he appears before us in all the gorgeous attire of his eloquence, reminds me of a story which is told of a barbarous prince of Morocco, a Muley Molock, or a Muley Ishmael, who never put on his gayest garments, or appeared in extraordinary pomp, but as a prelude to the murder of many of his subjects. Now, when I behold splendour much more bright, when I perceive the labours of an elegant and accomplished mind—when I listen to words so choice, and contemplate all the charms of his polished elocution,—it is well enough for me, sitting in this House, to enjoy the scene, but it gives me most gloomy tidings to convey to my constituents in the lobby. For these reasons, Sir, I should wish, previously to our entering into this war, to be told what event it is that will put an end to it. I would ask what are we to gain by this contest? I know I may be told, that it is an old and a foolish question. That it is old I know, but that it is foolish I do not. Switzerland and Holland are, in my opinion, the two great objects to be kept in view, as countries

the liberation of which from the yoke of France would be most desirable. But have you any hopes of accomplishing such an object? Have you any chance of doing so by the course you are now about to take? No man thinks more highly than I do, of the ability and gallantry of your commanders; no man thinks more highly than I do, of the intrepidity and valour of your soldiers; no man thinks more highly than I do of the immense power, most incomparable skill and invincible spirit of your navy; no man has more earnest wishes than I have to see the power of France reduced by the efforts of Great Britain. Much certainly, in one way, may be done towards this object. You may seize her islands — you may take her colonies and destroy her trade; you have done it before, and, for aught I know, you may distress her even more. Even then, what will you ultimately gain? On the other hand, what may you not ultimately lose? You may be driven to the brink of bankruptcy yourselves. But France, we are told, will have been destroyed first. France may, indeed, be made a beggar, but will that make her a better neighbour to you? Say even that a new revolution should happen to France, as many have happened to her within these ten years — What will you be the better for that? "France," you may then exclaim, "is now more miserable than ever she was!" To be sure she will be so; and you — how will you be the better for her misery? It is argued, however, that if we are to go to war, it is wiser to commence it now, than to delay it; distinctions are drawn between internal strength and strength for the annoyance of an enemy; it is said that, as to France, another year may extend her commerce, increase her population, and thus give her additional means of annoying us; and that all these means will be diminished by the revolution she may suffer in another war. If she should suffer in the next war ten revolutions, instead of the five or six through which she struggled in the last, putting all other considerations out of the question, are we justified by experience in expecting that her sufferings will render her a better neighbour to us, or less troublesome to the repose of the world? Was she so wasted by the losses of the late war, was she so enervated by the calamities of her revolutions, as to be rendered incapable of annoying others, or of defending herself? Were not her latest efforts, on the contrary, the most terrible and the most successful?"

From these grounds, which Mr. Fox recapitulated, he drew the conclusion, that we were in a situation, in which, if we were to proceed on our present narrow ground of mere local British interest, we had nothing to gain; absolutely nothing. We could not hope for an ally from any quarter of the world.

But if the House should agree to the amendment moved on the address, it would open to us another and a better course. The amendment contained nothing, which, with the exception of a very few words indeed, they did not all believe to be true. That his majesty's ministers had not done the best that could have been done, in the whole of the negociation, was certainly a very general opinion. That question was by common consent (as it appeared) to be the subject of debate at a future day; the address he thought would prejudge that question; whereas the amendment kept it entirely open for discussion and decision. To attain the greater objects of the amendment, Mr. Fox gave notice, that he should, at no very distant period, move the House to address his majesty to avail himself of the disposition manifested by the Emperor of Russia to bring about a general peace. If that prince should either be unwilling to engage in the meditation, or unable, through the fault of our enemy, to accomplish its purpose, neither of which Mr. Fox could believe, the House would enjoy the satisfaction of reflecting that they had done every thing in their power, which prudence could dictate, to avoid the calamities of war. The alternative would then be inevitable, and they would adopt it without reproach. At present nothing could be said in favour of the policy of war, but that it may be better for us now than it would be four months hence. This advantage would be more than counterbalanced by proving to all Europe, that war was not our choice; that we had applied to one of its first powers to prevent it, and that we were ready to accept the proffered mediation. Mr. Fox concluded his speech with stating the strong sense of duty, and the deep anxiety of mind under which he had been impelled to deliver his opinions so much at length; and with exhorting the House, before they entered on this great contest, not only to pause, to deliberate, and to satisfy themselves, but to do every thing that depended on them to convince their constituents and all Europe that the avoiding it was impossible.

On a division, Mr. Grey's amendment was negatived by 398 against 67. After which the original address was agreed to.

Mr. Fox's Motion respecting the Mediation of Russia.

May 27.

IN pursuance of the notice he had given,

Mr. Fox rose for the purpose of making his promised motion respecting the mediation of the Emperor of Russia to adjust the existing differences between this country and France. He observed, that although, from the time and circumstances under which he brought it forward, it might be considered as one of the most important ever submitted to parliament, it was one which led to no great length of discussion, nor would require him to take any very comprehensive view of the topics naturally connected with it. Into the general question of the propriety of the war, he was not disposed to enter. He had stated his opinions very fully on a former day: a great majority had differed from him; and to the judgment of that majority it was his duty to bow. The country was then actually at war, and being so, he should give the war the best support in his power. But although we were at war, and although many differences prevailed as to the grounds of it, no one would deny the propriety of bringing it as soon as possible to an honourable termination. The proposition which it was his intention to submit to the House had this object in view. It was understood, that an offer had recently been made by the Emperor of Russia to interpose his mediation, or good offices, for the settlement of the differences between Great Britain and France. He wished to induce the House of Commons to advise his majesty immediately to avail himself of those friendly dispositions. On the advantages of mediation in general, it was not necessary for him to descant; still less on the advantages which must result from the mediation of that powerful, respected, and universally esteemed sovereign, the Emperor of Russia. It was Mr. Fox's opinion, that even where mediation was wholly inactive, where the mediating powers lent only their names to a negociation, the offer of it ought, under almost any circumstances, to be accepted. Even this, which was the lowest species of mediation, was useful for the sake of public opinion. What was now proposed, however, he un-

derstood to be of the higher species, and to amount to an offer, by the Emperor of Russia, of an effectual interposition of his good offices; which, among other advantages, included this, — that if it should fail, through our enemy's advancing unjust claims and pretensions, and if we should be compelled by such failure to prosecute the war for objects which, in that case, must be approved by the mediating sovereign, we should secure his support, and the sanction of his great and powerful name. And what was equally material, we should have in our favour the public opinion of Europe and the world. This, let gentleman be assured, was no trifling matter; it was a consideration of sufficient importance by itself, even if there existed no other motive, to determine in favour of the propriety of the step he was about to recommend.

It was not, however, merely for the sake of adjusting present differences that he thought the acceptance of this mediation so desirable. To that power to which ministers looked as the principal and only fit guarantee for Malta, they might naturally look for mediation on other matters; they might look for an extension of his guarantee to all the points now at issue between the governments of Great Britain and France. Thoroughly impressed with the feasibility of this plan, Mr. Fox most anxiously conjured ministers, as they valued the interests of their country and the permanent peace of Europe, not to suffer the present opportunity to escape them; not to overlook means so obvious and so practicable for the accomplishment of all their objects, whether of security, honour, or satisfaction.

In his hopes of benefit from this measure, Mr. Fox said, that he carried his views very far. The power, the character, and the rank of the Emperor of Russia, rendered him, of all sovereigns, not only the very fittest mediator on the points in dispute between Great Britain and France, but the fittest protector and guarantee of the rights of independent nations, and of the general interests of Europe. The personal character of this prince stood on the highest ground; nor could his own praise of him, Mr. Fox said, add any thing to the estimation in which he was every where held. He spoke not of his private character alone, but of his princely qualities, of his justice to the people committed to his care, of his love of peace, and of his ardent desire for its maintenance in Europe; and particularly of his wish to see peace restored between Great Britain and France, although he was not likely to be a loser by their quarrels.

The leading feature of his character, therefore, was that which most fitted him for a mediator. There was another part in it which peculiarly pointed him out as the mediator to

whom we should most choose to refer our differences. This prince was understood to be very sensibly affected by many changes which had taken place in Europe since the peace of Amiens; and to have highly disapproved, and in many instances to have been disgusted with the conduct of France towards other powers since that period. It was impossible, therefore, to imagine a sovereign, whose interposition could be more consonant to what ought to be our wishes. In looking for a mediator, the two points concerning which it would most import us to be satisfied, were, his character and his opinions. The first qualification, as he had already stated, was a love of peace; the second, a dislike and disapprobation of those acts which either directly or remotely constituted the cause of the dispute on which he was to mediate. Both these were eminently conspicuous in the illustrious sovereign of whom he was then speaking.

With respect to the beneficial consequences which would attend the acceptance of his mediation on a more extended scale, Mr. Fox was very sanguine. He would state no certainty, indeed, of its producing peace, but a strong and reasonable hope. At all events, he looked forward through it to the most advantageous connection which this country could form under the present circumstances of Europe. In the actual state of affairs, what was more probable than that France, taking advantage of her condition of preparation and power, would abuse it, for the purpose of further acquisitions at the expence of the smaller and more defenceless states? This was the great evil to be apprehended from the present war; and against this evil a connection with Russia would be the surest guard, as well as afford the best hope of settling at last some solid system of peace for Europe. What other means, he would ask, had we of preventing the oppression of the smaller states by France, if she should be disposed to attempt it? What means had we of our own? And after France had testified a disposition to accept the mediation, how would it appear to Europe were we to decline the offer?

No expression implying the superiority of any other power was fit to be used in speaking of Great Britain and its interests; but he would ask, was there ever a sovereign who, from his situation, was so fit to prescribe peace as the Emperor of Russia? What was the language which he was enabled to hold both to this country and to France? We had a dispute with the late emperor, which, although settled, was settled upon conditions to which the court of St. Petersburgh might still continue to except, as being in a great degree harsh and disadvantageous. On the other hand, that court objected to part of an article in the treaty of Amiens,

to the general conditions of which, however, she was still ready to accede upon the removal of her objection. The point was, to us, a mere trifle; no more than whether a Maltese langue should be admitted into the order. The emperor, therefore, might say fairly to us, "There were some points in my treaty with you, to which, however disadvantageous, I submitted, for my love of peace. Do you, in return, act in the same manner. You complain of an article in the treaty of Amiens, so do I of the terms of the northern convention. To these several treaties we each of us agreed for the sake of peace. Imitate, therefore, on your parts, the moderation I shewed on mine, and make a sacrifice to the peace of Amiens of any trifling objection, in the same manner as I sacrificed all mine to the northern convention." But if this sovereign could speak in such terms to us, he could speak in much stronger terms to France. It was reported, (with what truth Mr. Fox did not pretend to know,) that some time since a proposition had been made from France to Russia for the dismemberment and partition of the Turkish empire. This report was alluded to in his majesty's declaration, in which paper the proposition itself was also stated to have been rejected. The emperor, therefore, stands towards the French government on the very best ground for enforcing upon it the counsels of moderation. That power, which has been so long and so justly suspected of entertaining designs hostile to the Turkish empire; that sovereign who would gain most territory, although perhaps it may not be quite so certain that he would acquire any great addition of solid strength, by the partition of its provinces, decidedly refused to lend his countenance to so iniquitous a project. The Emperor of Russia, therefore, is the sovereign who is entitled to speak in the firmest language to any other European power that might be supposed to entertain similar designs against its defenceless neighbours. "You propose to me," he might say, "the dismemberment of Turkey. If I, who had the fairest hopes of advantage from that dismemberment, the standing policy of whose ancestors it has been to achieve the enterprize, and who might be supposed to be actuated by an hereditary partiality towards that object — if I refused to accede to it from a sense of what was due to justice and the rights of others, I am entitled to make the same claim upon you. I preferred peace to the gratification of my ambition. Do you the same. I abstained from attacking my neighbours. Abstain you also."

Such was the language which the Emperor of Russia could hold towards France, and which most probably he would be induced to hold, if his offer of mediation were ac-

cepted upon the large scale he had ventured to recommend. This sovereign, too, was peculiarly situated with regard to France, so situated as both to be inclined and enabled to succour with effect those states which might be supposed the first and most immediate objects of French aggression. Mr. Fox, therefore, again most earnestly advised the ministers to attach themselves cordially to that power, from which alone they could derive any material assistance in the prosecution of their views; whether those views were for a solid peace, or for a vigorous war. With that power alone for an ally, if they could contrive to form an alliance with it, we might be enabled to protect, and to secure from attack, all the weaker states in the European system.

If it were objected that France only agreed to the offer of mediation with a view to procrastinate, against her gaining such an advantage, Mr. Fox said it would be the duty of ministers most vigilantly to guard; but he cautioned the House against the rejection of treaties, and against repelling all approaches to negociation, merely on account of our not being perfectly satisfied as to the good faith and general dispositions of an adverse power. If the government of France had expressed a willingness to accept the mediation, and if the people of that country in general, as every common traveller could not have failed to observe, were anxious for peace, would not our rejection of such a measure tend immediately to render the war popular among them, by throwing upon us all the odium of its commencement? Is it not for our interest to deprive the government of France of this advantage? Is it not for our interest to enter into a mediation, which, if France should render ineffectual, will lay her under the necessity of contending, not only with us, but with Russia? To submit our claims to the arbitrary decision of that court, or of any other power on earth, no man disdained more than himself; but to explain the justice of them to a friendly state, was to be considered in a very different light, especially when such a proceeding opened the way to an union with that state, upon principles of common security and defence.

Of continental connections, as they were entered into and managed by our ancestors, Mr. Fox professed himself the warm and constant friend. These connections were either wise, or otherwise, according to circumstances; and he considered a connection with Russia, in the present state of affairs, to be most wise and most expedient. He would not undervalue our resources, but for any practicable object in the war, except that of mere self-defence, what were our means? If our views really tended towards abridging in any

degree the continental power of France, what chance had we of bringing our resources to bear upon this object, except through the connection to which he pointed? a connection, to the forming of which the opportunity now presented to us was most happy — and might never return!

Every consideration of policy pointed this way. In looking to the rest of the continent, no other power seemed in a situation likely to afford us any assistance. On the other hand, what would Great Britain and Russia have to fear from a junction of either Prussia or the house of Austria with France? That these powers should jointly assist France against Great Britain and Russia, there never could be much reason to apprehend; that either of them should separately assist her, under the present circumstances, he saw little reason to believe. Peace was known to be the general settled system of the Prussian monarchy at present, and Austria, independent of the obvious doubts respecting her cordiality in any co-operation with France, was too much exhausted by the pressure of the late war, not to make peace absolutely necessary to her recovery. That peace is become her policy, was also to be presumed from the change in her councils, and from the elevation to power of the Archduke Charles — a prince most universally respected and beloved — a prince, who after the immortal glories he has acquired in war — glories not to be diminished by defeat, since in adverse circumstances he had done all that could be expected from the greatest talents — now, happily for mankind, seems to consider it his truest glory to discharge his debt to the people who supported him throughout an arduous contest, by securing to them the enjoyment, and by cultivating for their sakes the advantages of peace. Such was the employment of the Archduke Charles, which, with the considerations he had mentioned before, led him to believe that a pacific spirit prevailed equally in the cabinets of Vienna, of Berlin, and of St. Petersburgh; offering to us the fairest opportunity that perhaps had ever occurred, of forming the union for which he was so earnest, upon the broad principles he had been endeavouring to establish.

Mr. Fox then enlarged upon the satisfaction to ourselves, and even the political advantages which would attend our conducting ourselves in such a manner as to conciliate the public opinion of Europe. Although Holland or Switzerland, or the smaller states of Italy, might not be able possibly to give us any immediate assistance, even their good wishes were not to be despised. Under the powerful protection of a Russian alliance, growing out of the mediation such as he viewed it, those good wishes might, in time, bring

us allies. The measure was equally desirable, whether war or peace should be the ultimate result. From the refusal of Russia to accept the guarantee of Malta, as we had originally proposed it, some persons might think she was ill-inclined towards our cause, and might be actuated by partiality towards that of France; and under this persuasion might be disposed to think that our dignity was concerned in rejecting the present overtures for mediation. No man was further than Mr. Fox from wishing this country to humble itself before Russia; and no man would advise the rejection of her interference sooner than himself, if he could entertain the slightest suspicion of her partiality to France; but so far was he from believing in any such partiality, that he was persuaded her sentiments ran in an opposite direction. Others might suspect the offer to have been made in collusion with France: if it were so, no doubt it ought to be instantly rejected; and here Mr. Fox desired to be distinctly understood, as not recommending by his motion any suspension of hostilities, whatever might be his opinion as to the rashness with which they had been begun.

Upon the whole, he felt very sanguine, and possibly this eagerness might warp his judgment, as to the beneficial effects, in a general view, which must result from the measure he was about to propose to the House. He believed that ministers would gladly have accepted this mediation, had it been proposed at an earlier period. Why, then, should not that proposal be eligible to terminate a war, which would have had a welcome reception before its commencement? Russia was the chief power on which we relied for the security of Malta against France. Her guarantee of it was to have consolidated the peace. An opportunity now was presented to us, by which we might extend that guarantee to the peace and security of Europe; to the protection and happiness of the smaller states; to the setting up, under wise management, of a bulwark and a safeguard for the world; and to the effecting a settlement, such as the events of the late war gave but little reason ever again to hope for. He did not despair of combining together, in some great public act, all the powers without exception who were named in the guarantee of the independence of Malta. The rights of all nations, and the territories of all states, would by these means be secured against disturbance or invasion; the spirit of aggrandizement would be repressed; the mischievous practice of secret cession would be put an end to, and the world might at length enjoy some prospect of peace, by seeing the different great powers of which it was composed, act upon a principle of content with what they had gained, and of

acquiescence in what they had lost. At the moment at which we seemed on the brink of eternal war, ministers had it in their power to lay the foundation of this great work; and in order to enable them to do it, he would move, "That an humble address be presented to his majesty, praying that his majesty would be graciously pleased to avail himself of the disposition expressed by the Emperor of Russia to interpose his good offices for the termination of the present war between his majesty and the French republic; an interposition which would, probably, be attended with the best advantages in support of the dignity of his majesty's crown, and for the general and permanent tranquillity of Europe."

The motion was opposed by Lord Hawkesbury, who moved the previous question thereon. Mr. Pitt concurred in all the general principles, upon which the motion was grounded, but nevertheless hoped that Mr. Fox would not persist in it, as there appeared no reason to doubt, but that his majesty's ministers would act in conformity with those general principles. In reply to what fell from Mr. Pitt,

Mr. Fox said, that his opposition to the late war, as far as the question of continental alliances was concerned, rested precisely on the same principles as those upon which he had that day grounded his motion. It was singular, that after the many occasions he had had to debate this subject, he should still be misunderstood. He had opposed the late war, among other reasons, from an opinion which he had formed, and stated at its very commencement, of its tendency to effect *the total destruction of the influence of this country on the continent.* Subsequent events had proved the correctness of that opinion. The right honourable gentleman himself had acknowledged that he had consented to make peace, as soon as he perceived that the prolongation of the war was not likely to procure any better security for the continent. Mr. Fox was against referring to any topics which might revive past animosities; but he begged to know in what consisted the difference between the right honourable gentleman and himself, except that he had foreseen some years earlier, what the right honourable gentleman had been obliged to admit some years later? It was on a similar principle that he had approved the peace — he had approved it, not as good in itself, but as preferable, under all the circumstances, to a continuance of the war. In answer to the application which had been addressed to him to withdraw his motion, Mr. Fox expressed his regret, that, as matters then stood, he could not comply with it. Further explanation was necessary from the noble secretary of state. Whether Russia

had offered her mediation in the large, or in the limited sense of the word, it was important to have an assurance from ministers that they would accept it. No such assurance had been given, and with less he could not be content. If ministers, however, would state fairly that there existed among them, at that moment, a disposition to avail themselves of the offers of Russia, whatever those offers might be, or of a mediation when regularly proposed to them, he would make no difficulty of withdrawing his motion.

Lord Hawkesbury assured the House, that the British government was ready to accept the mediation of Russia; upon which, Mr. Fox consented to withdraw his motion.

VOLUNTEER CONSOLIDATION BILL.

February 29. 1804.

ON the 8th of February Mr. Secretary Yorke moved for leave to bring in a bill, "to explain, amend, and consolidate the provisions contained in the several acts relative to yeomanry and volunteer corps throughout the United Kingdom." Leave was given to bring in the bill, and on the 29th, upon the motion, that the bill be committed, the same was opposed by Mr. Francis and Colonel Craufurd, and supported by General Maitland and Colonel Eyre, after which,

Mr. Fox rose and said:—I own, Sir, that I am much surprized at the language used by my honourable friend under the gallery, (General Maitland,) and still more surprized at the very extraordinary sentiment with which the honourable gentleman behind me (Colonel Eyre) closed his speech. Of the latter I shall first take notice. The honourable gentleman seems highly to disapprove of any thing in the shape of opposition to his majesty's present ministers, and expresses an opinion that all parties should combine to support them, in order to second their endeavours for the national defence, in a word, that all should be unanimity for that object; but although the honourable gentleman does so broadly assert that dissention prevails, and that means are used to embarrass the operations of government, I would call upon the honourable gentleman to point out a single instance where any obstruction has been offered to the exertions of government to provide for our security. It is easy

for any gentleman to use a round assertion, but I challenge the honourable member to quote any case to justify the charge that any party has been backward to contribute its assistance to the government, whatever they may think of the ministers by whom the government is administered. All, in fact, is, and has been, union for the public safety, from the moment that safety has been pronounced in danger. The people have, every where, pressed forward in the cause of the country, and their zeal has received no damp or check from any quarter, but from the ministers themselves; and, without looking to the innumerable proofs of ardent and active exertion made by the gentlemen of that party to whom the honourable member seemed more particularly to allude, I shall only cite one remarkable instance in the north of England. Let the honourable gentleman look to a distinguished friend of mine in that direction (the Duke of Northumberland). That noble duke has, to his immortal honour, raised a body of not less than 1500 men, whom he has clothed, equipped, disciplined, and furnished with every necessary, arms alone excepted. These they have had from government. What union, then, does the honourable gentleman require? The most cordial union exists every where in support of the country and the government, and I believe the union is almost equally general against the ministers; but yet I am astonished to find some gentlemen forward to vaunt of those ministers, and to contend that the zeal and union which so universally prevails are attributable to them. Why, certainly, they have been produced by ministers — but how? By their mismanagement: and if upon this they mean to ground their triumph, they are no doubt entitled to it. They have brought the country to the brink of destruction, and have made us all unite for our own security. Really, therefore, if ministers will claim merit for thus exciting the public spirit, I confess that I cannot deny the justice of their pretensions.

With respect to the observations made by my honourable friend, I repeat that I heard them with surprize. I have often had occasion to defend the freedom of debate, and I declare I never witnessed a more extraordinary attempt made to interrupt it, than in the instance I allude to. It seemed to be the drift of my honourable friend's remarks, that no officer below the rank of a lieutenant-general should presume to state his opinion in this House upon any military topic connected with the defence of the country. But how different is this from the conduct pursued by my honourable friend on a former occasion! I remember when he undertook

to censure, and very freely too, the proceedings of officers superior to himself. I will not say in abilities, but very much so in rank: when he was only a major, he commented, and with some severity, upon Generals Meadows, Musgrave, and others, and exposed himself in so doing to some severe animadversions, against which I defended him. I hope, therefore, that he will not be surprized if, acting upon the same principle which influenced my conduct with regard to himself, I now take up the defence of the honourable officer (Colonel Craufurd) who has been this night the object of his attack. If, indeed, the opinions advanced by my honourable friend were pushed to the extent which he appears to wish, it would go to this, that no officer who is a member of this House, however high his reputation, (and surely no man will question the reputation and military talents of the honourable officer alluded to,) should presume to give his opinion upon military subjects to a superior officer. I understand it has been said, that such subjects should not be discussed at all in this House, but that the matter should be entirely left to the consideration of officers of experience. To this opinion, however, I never will subscribe; but even if true, who, I would be glad to know, has a stronger claim to attention on the score of experience than the honourable officer I refer to? And yet my honourable friend would restrain him, and why? not least his opinions should clash with those of other officers of high rank and authority, but because the matter ought, in my honourable friend's judgment, to be left entirely to the consideration of such persons; but yet my honourable friend does not venture to say that the points alluded to by the honourable officer, have been, or will be considered by the high officers, for whose monopoly, not only of military power, but of military knowledge and attention, he seems to be so very anxious. My honourable friend does not know, however, that their attention extends to all the topics alluded to by the honourable officer, and still he would wish him to be silent upon those most important points, not because he actually differs with the high officers, for whom my honourable friend feels such reverence, but least he should differ from them on some things which they may hereafter think proper to consider. This was not the only opposition which the honourable officer experienced from my honourable friend; for, after condemning the general principle of the honourable officer's entering at all into the discussion, my honourable friend endeavoured to combat the detail of his speech — a speech containing more professional information than any speech, perhaps, that I

ever heard in this House, and conveyed in a manner so perspicuous as to be more intelligible to men unacquainted with military tactics than military essays generally are.

The first part of my honourable friend's objections applied to the argument so often used against the volunteer system, on the ground of the exemptions granted to the volunteers; but I would ask, can any man seriously contend that such an argument is not well founded, and that those exemptions have not materially impeded the ballots for the militia and the army of reserve, and also crippled the recruiting for the regular army? The fact is too notorious to be denied. My honourable friend, however, took up these exemptions as a matter justly due to the volunteers, and highly right in ministers to propose and parliament to adopt. But, if it was a matter of right, it was certainly right by mistake, for there is no doubt that ministers did not intend to grant such exemptions at the time the volunteer bill was passed last summer. If they did, it does not appear on the face of that bill; and sure I am, that it was not so understood in any part of the country that I have heard of. On the contrary, I remember that subscriptions were set on foot in various parishes, to relieve the volunteers from the ballots for the militia or army of reserve, by providing substitutes for such of them as might be chosen for either of those descriptions of force. Is it possible, then, if exemptions were in th contemplation of the framers of the bill I have mentioned that it should be so universally misunderstood? And yet, it seems, it was; for some time after the enactment of this bill, out came the opinion of the attorney-general, who was not, I must suppose, at all consulted in the first instance, or the bill would have been explicit. No! Ministers first frame acts of parliament to puzzle him, and then they ask his opinion upon them. His opinions upon subjects thus circumstanced were likely to be erroneous, and so they have happened to be.

I am flattered that my opinion respecting the preference of an armed peasantry to the volunteer system happens to agree with that of the honourable officer to whom I have already referred. But my honourable friend has said, that the volunteers would be preferable for active service. I would, however, appeal to his judgment, whether they could be competent to the same duties as a regular army; and whether they can be so fit for any other description of service as an active, hardy, armed peasantry? The honourable gentleman who spoke last has referred to the state of the volunteers in a particular county; but does he mean to say, that the state of our force would not be much improved, that

the defences of the counties of Sussex and Kent would not be better secured by the establishment of the principle of an armed peasantry, than by the present amount of the volunteer force, to be found in these or in any of the other counties, particularly on the coast? Some stress has been laid on the advantages likely to arise from the colour of the cloathing, &c. of the volunteers, as contrasted with an armed peasantry; but this very difference I reckon among the defects of the volunteer system; and the quibbling remarks on a smock-frocked army are not worthy of reply. If the amount of the volunteers be dwelt upon; if I am told that we have in them an army of 400,000 men, I answer, that by resorting to an armed peasantry, we might have two million, and more effective, requiring less drilling, more easily prepared for the objects to which it is right to apply them, and less expensive. My principal objections to the volunteers, indeed, arise out of their expense and their mode of instruction, and to the latter particularly. Too much time is employed in endeavouring to teach that which is not necessary, and which they never can completely learn. By such a mode of proceeding much mischief is, and much more may be, done. To this, indeed, the words of Pope may be applied

"A little learning is a dangerous thing;"

and for this reason, that men are apt to draw inaccurate deductions, and to rest upon imperfect grounds. The volunteers, by such injudicious instructions, are withdrawn from that which they might acquire with facility and use with much more effect, and the operation of such a system will be to give their minds a wrong direction. If, however, it was wished to render the volunteers perfect in this system of discipline, how came it that the instructions should have commenced so late that, but a few months ago, many volunteer corps were without a single musket, and even at this hour there are several volunteers who have never fired a ball in their lives? Men should not be obliged to travel through the tedious course of military tactics when the danger is so urgent as it is admitted to be on all hands. A force not thus perplexed with circuitous lessons would be much more easily collected, and more effectual; armed also with other weapons than muskets, they, perhaps, would be able more completely to annoy the enemy. Some miserable expedients have been resorted to in order to depreciate the opinions of the honourable officer. His recommendation of pikes was at first discountenanced, and yet, since then, his plan has been acted upon to a considerable extent. Above 100,000

pikes have been distributed by government, and I have no doubt those weapons will be more useful in the hands of peasants who shall not undergo the trouble of any rehearsal before they come to action, than volunteers trained to the musket. I have heard that some gentlemen are of opinion, that the volunteers might be most advantageously employed by attaching them in the hour of service to battalions of the line. Of such a plan I very much disapprove, or of any project to bring them into action, in a solid body. When the honourable officer recommended pikes to be distributed to the volunteers, ministers confessed there was a scarcity of muskets, and that circumstance alone, independently of the known efficacy of that weapon, particularly manifested in the course of the French Revolution, was sufficient.

The honourable member behind me (Colonel Eyre) has insisted upon the importance of the volunteers, for a very strange reason indeed, which he urged with great confidence, namely, that however they were depreciated in this country, they were held to be so formidable by the enemy, that they operated to prevent him from attempting an invasion, although he was ready in June last; but, if he had come then he would have surprised a vast proportion of the volunteers without arms. If, however, the enemy was completely prepared in June, and the volunteers in their then state were really sufficient to intimidate him, there can be no danger whatever, now that that body is so much larger and so much better disciplined; nor can it be necessary to introduce this bill, or to make any farther bustle of preparation. However, perhaps the enemy has postponed the execution of his design for other reasons. Possibly he waits until the volunteers shall learn their exercise — until they are properly drilled! This would be a magnanimous proceeding. But to be serious. I know that there are many different opinions upon the mode provided for disciplining the volunteers, and I have my doubts. Upon this, however, I have no doubt; that the system is not to be compared to that of an armed peasantry, who could be had in every district in sufficient numbers, and who would furnish the most powerful assistance to the regular army. It should be recollected, that the great defence of a country consists of an armed people. The enemy may have a large disciplined army, and so may you to resist him; but that from which you would derive your great advantage, that which always must form the powerful opponent of an invading army, would be an armed peasantry. That should be your principal defence. It is like the weapon with which nature furnishes animals for their protection. It is the great bulwark of a country. You might thus have an aid in every village and town, more numerous and effective than your vo-

lunteers; and you might put the country in such a state of defence, that the enemy, even after a victory, should he obtain one, over your regular army in the field, would not send out a detachment to forage, or for any other purpose, without exposing them to be shot at from every hedge, from every cottage, from every enclosure — by men, not dressed so as to be easily perceivable, not wearing those coloured garments which would put the enemy's troops on their guard. Thus might they be harassed and weakened, even after being victorious in the field; and we must not be so sanguine as to suppose that they may not sometimes have the advantage; for, however brave our troops may be, and no man has a higher opinion of their valour and skill than I have, we must attend to that calculation which has ever been regarded by the highest military authorities, even by Julius Cæsar himself, that fortune has a great share in deciding the events of war. When such events should happen to be against us, I would particularly look to the assistance of the smock-frocked force, as some gentlemen have termed it. A noble lord, in treating this subject, has said, that he was old enough to recollect the American rebellion, as he called it, and, certainly, if he recollected all the circumstances of the case he so describes, he would be aware that the term rebellion was not applicable, and that the use of it was long since abandoned. He would also recollect, that America was victorious over her opponents, not because she had a large regular army, but because she was an armed country, and the result of that popular armament was, that two of our best generals, at the head of some of the best troops, were compelled to surrender. Precisely that kind of force which so conquered in America, which emancipated Holland, which triumphed in Switzerland, and performed such prodigies of valour in la Vendée and Ireland, is what I should recommend to be resorted to in this country. The misfortune is, with a view to this, that, as I understand, the volunteers have taken so many arms that enough are not left for arming the peasantry; but there are weapons in abundance to be found to suit them, and they will not require much training. If this plan be not attended to, many parts of the country will, in the event of invasion, be left quite defenceless; for when a volunteer corps is called into service, what becomes of the town or village to which it may belong? Their natural defenders are gone where they are not likely to be so useful as they might be, under another system, to the ultimate security of the country and the overthrow of the enemy. This is a painful consideration; but it naturally arises out of a bad system — a system which rather perplexes the volunteers than contributes to improve them, which, in fact, overloads them

with a kind of instruction of no practical utility, instead of giving them that which would fit them for the object to which their service is applicable. This is the mischief; it is like sending a man to a university to learn general knowledge, and afterwards telling him that he must study to qualify for a divine or a physician. I should think it would be better to begin the education of the one and the other, with that which might best fit them for their proper pursuits. It would therefore be much wiser to teach the volunteers, not the stiff and intricate manœuvres of Prussian discipline, but that only which is essential; not that which should assimilate them to a regular army, which has begun to learn such discipline, but that which should assimilate them to an armed peasantry, to whom it is naturally extremely desirable that they should be more alike than they are. Nothing can be a greater mistake than to suppose, that the colour of the volunteer clothing will be advantageous in the event of invasion, as the secretary of state enumerated; for this reason, that an intimate connection between them and our regular army must injure the latter; and also, that if they should be defeated in any instance, the similarity of dress will of course induce the enemy to suppose them soldiers, and that supposition will tend to their encouragement. My wish is, that instead of such troops, we should have the people armed, in order that in every direction the enemy might be annoyed, without being warned by alarming appearances; that he should always have reason to fear in whatever direction he moved; that the apprehension of meeting a foe in a brown coat should haunt him like a spectre; that he should feel that he could not pass through a lane or along a hedge with safety. If you abandon this plan, I am sure you will considerably diminish the fears of an invading enemy; for when he conceives he has none but red coated foes to meet with, his confidence will, of course, be greater. The evil of this goes very deep. It applies to the principle of the volunteer system. The mischief of affording the enemy the means of ascertaining the whole amount of your military defence is extremely obvious. When he becomes acquainted that he has only 500,000 men to contend with, you of course do him a service; he will then know his enemies by their dress.

The honourable gentleman who has just sat down has remarked on the tendency of the sentiments so often urged by my right honourable friend on the bench below me (Mr. Windham) respecting the volunteer system, and seems to imagine that the right honourable gentleman was inconsistent in accepting a command in a volunteer corps; but inconsistency does not at all follow from this circumstance. The right ho-

nourable gentleman avails himself of the system, bad as it is, to promote the public defence, because there is no other. — As to the whole of the remarks made upon this system, many of which have been misrepresented, as well as the motives of those who made them, I beg to observe, that without wishing to abolish the system altogether, it is impossible to remedy its defects, if they be remediable, without having in view the principles of a better system. — With regard to the bill before the House, it in reality contains nothing in the shape of a remedy, nor indeed any thing at all new, and the system it professes to support cannot, in my mind, be of long duration; it is not of a durable nature. The dread of invasion, which produced it, will not long avail, and as soon as the danger disappears, or may not be attended to, and which may be the case, should it long continue to be merely talked of, the spirit of the volunteers will, from the nature of the human mind, be likely to relax; and who can pretend to say how long, for how many years, the enemy may keep up all the appearances of an intention to invade us, without actually attempting it? These considerations weigh with my mind very strongly, and confirm my opinion of the superior character of an armed peasantry.

The motion for going into a committee was carried without a division.

Naval Administration of Earl St. Vincent.

March 15.

THIS day Mr. Pitt moved for certain papers preparatory to an inquiry into the naval administration of Earl St. Vincent. The conduct of the admiralty was defended by Mr. Tierney, Sir Charles Pole, Sir Edward Pellew, Mr. Sheridan, the chancellor of the exchequer, Captain Markham, and others. The motion for inquiry was supported by Admiral Berkeley, Mr. Wilberforce, Mr. Fox, Mr. Ponsonby, and Mr. Sturges Bourne.

Mr. Fox said: — Sir, I feel myself placed in a situation somewhat extraordinary on this occasion. With a great part of what has been said on the merits of the first lord of the admiralty, I am strongly disposed to concur, but at the same time, I cannot see how these arguments tended to the conclu-

sion at which they arrived. My honourable friend near me (Mr. Sheridan) has made, as he always does, a speech of the utmost brilliancy and eloquence, in which, however, he seems to me to have almost entirely omitted the reasons on which he was to negative the motion, and he contented himself with announcing the vote he was prepared to give. Though ready to give my ready assent to the distinguished worth and pre-eminent services of Lord St. Vincent, I feel that the best way I can testify my respect for such a character, is to give my vote for the motion. I feel that a slur thrown on the reputation of Earl St. Vincent would be a loss to the country, and to remove every suspicion of that kind, I say, let there be ample means of inquiry afforded, so that the triumph of Lord St. Vincent may be the more complete, satisfactory, and glorious. It appears to me that the defenders of Lord St. Vincent had but two courses which they could with propriety pursue, either to say that no case whatever had been made out, and then refuse all the papers asked, or to produce all the papers which could reasonably be asked for, and upon the consideration of those to call for the censure or the acquittal of the House. But the line of conduct which ministers have thought fit to take, does neither the one or the other. By granting some papers and refusing others, they admit enough to countenance the suspicion of something wrong in the naval administration, and do not go far enough to let that suspicion be wiped away. But the course which ministers have thought fit to adopt it is not difficult to explain. They wish to defend Lord St. Vincen as they would have defended themselves; they wish to put him on a level with themselves, to obtain the precedent of his great name to resist inquiry, so that every other inquiry may be frustrated; they wish to put him on a level with Lord Hardwicke, so that the refusal of inquiry in the instance of one who can bear it, may be an argument for setting inquiry aside when it might tend to produce discoveries they would suppress. The right honourable gentleman who spoke first against the motion, (Mr. Tierney,) agrees that the papers alluded to in two of the motions shall be granted; but he is of opinion that the third cannot be granted. If, however, to ask for any papers at all be to cast some slur on the first lord of the admiralty, why are any granted? Or is it because those which are refused might lead to inquiry, that they are withheld? If this be the object of the defenders of Lord St. Vincent, I am confident that he must disclaim such a mode of proceeding. I am confident that he would countenance no shuffling or evasion to suppress inquiry; and that he would not be content if he thought it could be suspected that he was adverse to have his administration canvassed. Thus ministers, knowing

that the conduct of the first lord of the admiralty is in every respect a contrast to their own, wish to make common cause with him, in offering a mode of defence to which, on a future occasion, they themselves may resort.

Sir, towards Lord St. Vincent I feel much personal friendship, and this renders me anxious that his reputation should stand high; but public motives give me a still greater interest in his fame and honour. Of his glorious achievement on the 14th of February no man can think higher than I do; but his conflict with the abuses and corruptions of his department appears to me, though less brilliant, not less arduous and meritorious. On the 14th of February he engaged and vanquished the enemy; but he has waged a war no less difficult, with jobs, and contracts, and frauds. He has broken their embattled line, no less arduous than to penetrate that of the enemy. My admiration of him is increased at finding that he possesses in so high a degree, that which is more rare than gallantry in the field — civil courage and decision as well as personal courage. I feel that his virtues and public deserts in this contest with corruption have naturally led to that obloquy by which he has been pursued. The attempt to put to rout the hosts of corruption must have created him enemies. Such may have been the persons from whom an honourable gentleman opposite (Mr. Wilberforce) obtained the information he mentioned; but let the miserable witnesses be brought forward, that their testimony may be examined and disproved. This calls to my mind, Sir, an anecdote of a ludicrous nature. It so happened that when Mr. Justice Willes, a man who to many eminent qualities added a considerable portion of humour, was one day employed in trying a cause, I believe of murder, one of the witnesses deposed that a ghost had said so and so; — "O, very well," said the judge, "I have no objection to the evidence of a ghost; let him be brought in and sworn!" So provided the witnesses alluded to by the honourable gentleman can be brought forward, I have no objection to receive their evidence at the bar of the House, that we may afterwards decide upon it.

Sir, during the whole course of the debate, the only person who has made any direct charge against the conduct of the admiralty in general, is my honourable and gallant relation, (Admiral Berkeley). As to the right honourable gentleman who made the motions, I confess, that he seems to me to have made out little or no case. With respect to the number of gun-boats in employment now and at former periods, the comparison affords no conclusion, unless it can likewise be shewn that the exigency of the case was such, as to demand greater exertions and a greater proportion of this species of

force. Unless, too, it can be shewn, that of gun-brigs a greater number ought to be employed, the late period at which the admiralty made the contracts for such vessels proves nothing. The right honourable gentleman likewise proposes to address the crown; recommending greater exertions in this way; but any measures for the improvement of our defence must be left to those who are in official situations. But in viewing our state of defence, the great mind of the right honourable gentleman must see that it must be judged of upon a general system, and not upon any particular point. It is impossible, but that, in viewing each point separately, there must appear to be some deficiency. It is evident, however, that some inferior parts must be overlooked, in order that the perfection of the whole may be obtained; and I am inclined to think, that if there be any part of our defence which it was more safe to sacrifice than another, from its being of inferior moment, it is that of which the right honourable gentleman has insisted.

Sir, had the motion been for papers generally, I might have been a little puzzled to know how I should vote, though I believe I still should have voted for inquiry; but as the matter stands now I cannot hesitate. If the papers are refused, it must infer some slur upon the first lord of the admiralty; if some of these documents are withheld, it may be said by the right honourable gentleman that he was prevented from carrying the question he meant to move, because he was denied the papers by which his case was to be proved. But, it is said, that if all the papers were granted, a suspicion would lie against the first lord of the admiralty. But how long could such a suspicion continue? No longer, surely, than till the inquiry took place. But if any suspicion arises from the motion, or from the papers produced, it is impossible to say how long suspicion may remain, since no inquiry is allowed by which it can be removed. Ministers profess themselves friends of Lord St. Vincent in the present instance; but how have they shewn themselves solicitous about the fame and the accommodation of that noble lord on other occasions? Do we not know, that, for at least eighteen months, a difference of the most serious kind, and to the impediment of public business, existed between the first lord and the secretary of the admiralty? Yet, that secretary preserved his place for a year and a half, under those very ministers who lately contended, that on account of a coolness between the lord lieutenant of Ireland and the commander in chief there it was impossible that the latter could, consistently with the public safety, remain in his place a week! I cannot help thinking, therefore, that the defence now set up by ministers, as rather intended to be a convenient protection to themselves for the future,

than as any thing which Lord St. Vincent's case would require. If Lord St. Vincent's conduct, which would stand inquiry, is to be opposed to any inquiry, then will others avail themselves of the example, to contend that they too, though they declined investigation, were equally conscious of rectitude and merit. And is this the way to do honour to Lord St. Vincent's character and superiority? Indeed, that ministers look more to the benefit of the example than to the credit of the first lord of the admiralty, appears to me from the manner in which the motion has been opposed. It seems as if it were said, we will grant such papers as will not inculpate the first lord of the admiralty, and do not lead to inquiry. Why, then, are others refused? Will it not be said, that they would have inculpated the admiralty and led to inquiry? And this is the way in which Lord St. Vincent's reputation is to be defended by his colleagues. The same right honourable gentleman, to whose defence of the admiralty I have just alluded, says too, that there is no complaint against the admiralty out of doors, and that the public are equally content with the whole conduct of the present ministers. As to the general character of ministers with the public, I shall give no testimony; but if the conduct of ministers were to be the object of discussion, and decided by argument, it would not be difficult to shew what the public ought to think of them. Suffer me to illustrate this by one of those good-humoured comparisons, which on general principles often afford the best illustration. In one of Moliere's plays, a grave old gentleman marries a young wife, or does something of other not very suitable to his character. Every body, however, is mightily content with what he had done, nevertheless when it is mentioned every one bursts out a laughing. In the same manner, though it happens that every body is so well content with the present ministers, yet when their merits are spoken of it generally produces a laugh, or at least a smile, on every countenance. Different, indeed, is Lord St. Vincent in this respect from all his colleagues; and knowing that he is a perfect contrast to them in merit and reputation, they wish to bring him down to their level, or at least to shelter themselves under his great authority. But in order to strengthen the public confidence in Lord St. Vincent, let the administration of the admiralty be examined into, and the services of that noble lord will appear even more important than they have yet been estimated. In voting for the motion on these grounds, I am conscious that I am doing that which private friendship and public duty equally prescribe.

The House divided on Mr. Pitt's motion: Yeas 130: Noes 201.

MR. FOX'S MOTION ON THE DEFENCE OF THE COUNTRY.

April 23.

IN pursuance of the notice he had given,

Mr. Fox rose and addressed the House as follows:—Before, Sir, I proceed to discuss the motion of which I have given notice, I think it necessary to make a few preliminary observations, in consequence of what has fallen from time to time in conversation in this House, whenever this subject of the defence of the country has occasionally been touched upon. And, Sir, those preliminary observations appear to me the more necessary, on account of the construction which members of this House, and others out of it, have been pleased to put on the extraordinary zeal which has appeared, in every rank and class of society in support of the war. I am, Sir, one of those who highly approve that zeal, and have ever been forward to give it my warmest commendation. Nothing can, in my opinion, be more proper, nor redound more highly to the honour of the country; but, when I see an attempt made to turn that zeal into the course of a fallacious channel, and to argue on it as proceeding from an approbation in those who evince it of the grounds on which the war was originally undertaken, or the manner in which it has since been conducted by his majesty's ministers, I feel it necessary to enter my protest against any such assumption, and briefly to shew, that such zeal is in no degree connected with those subjects to which it has been attributed. That such a degree of zeal did from the commencement of the war exist is most certain; I am myself a very striking proof of it; that is to say, I felt myself, from the first moment that I saw hostilities could not be avoided, anxious and zealous in the extreme for the defence of the country, which I saw menaced with an immediate and desperate attack, beyond what had ever before been known. But I can appeal to the recollection of the members of this House, and to that of the country at large also, that I by no means approved either the mode of commencing the war, or the manner of carrying it on. I shall, therefore, trouble the House with but very few words indeed on it.

Sir, from the first moment the war was actually commenced, it was immediately followed up by the continued cry of instant invasion, and that apprehension has been kept

alive with a steadiness and activity which I may say has been almost incessant. Is it possible, then, under such circumstances, to attribute the zeal which has so eminently displayed itself amongst all ranks and classes of the people, eager to defend themselves, their properties, and families, against the attacks of so inveterate and formidable an enemy, as we have now to contend with, into an approbation of the war? I say, No, Sir. To what is the war to be attributed? To the fear of the danger we should incur by strictly complying with the terms of the peace. If this be so, it follows, that the minister who brings us into the greatest danger, will henceforth be entitled to have the most ample share of approbation. The question, as stated by ministers, and conceived as such by the whole country from the commencement of hostilities, was a question involving life, liberty, and existence; as such it was understood, as such it was universally felt; and this feeling, I say, is not attributable to the war, or to the causes which brought it on, but to the actual view the people saw it in, and the consequences which they were almost certain must result from it. It may, perhaps, be argued by his majesty's ministers, that great numbers had voted for the first address, from whom I had the misfortune to differ; but it must be recollected, that on the second agitation of the subject, there was a much greater difference of opinion, and afterwards great numbers wished they had acted otherwise than they had done, when they called to their recollection how ministers had acted; 1st, as to timeing the war; 2dly, as to the cause assigned for it; and, 3dly, as to the particular manner in which it was conducted. These preliminary observations, I have thought the more necessary, because, when about to make a motion of this kind, and to go into further consideration of the defence of the country, I cannot agree at all with those statements which infer, that the extraordinary zeal of the country, evinced in behalf of every thing that is most dear to it, should be construed to imply an approbation either of timeing the war, or of the mode of conducting it.

With respect to the motion itself, I think it necessary, Sir, in the first place, to clear away the objections that may be made to it. When gentlemen have been reproached with feeling the panic of invasion, it may be requisite to notice shortly, what is generally understood by the word panic. I should suppose, Sir, that the word panic applies to those who would run away from, and not those who are desirous to defend any thing; I am therefore anxious not to have it said, that I, and those with whom I have the honour to act, are influenced by the panic of invasion; but that, well aware of the serious consequences which must inevitably result from

such an event taking place, we earnestly wish to put the country in the best possible state of defence. I beg, Sir that in expressing this wish, we may not be supposed to have acted on light or frivolous grounds, or on any inclination to raise alarm and dread, where none before existed. For when I see the numerous papers which have been laid on the table on this subject; when I take a view of the measures already adopted by his majesty's ministers, as well as those with which we are told they are intended to be followed up, I cannot help saying, with Sir Christopher Hatton in the Critic,

> "Oh pardon me, if my conjecture's rash,
> But I surmise —— the State ——
> Some danger apprehends!"

I must own, Sir, that I think the language held out by some of a wish to be invaded, is wrong, except with two provisoes; 1st, that our fleet may immediately fall in with them, and instantly convince them of the folly and madness of the attempt; and, 2dly, that having eluded the vigilance of our fleets, our state of defence should be such, that when landed, they should soon be convinced that, as this was the first, so it would be the last time they would ever dare to meet us on our own shores. And I think, Sir, we ought not, by any means to form any idea, that because the enemy has not hitherto put his threats in execution, he has therefore given up his design. Such reasoning would be fallacious in the extreme. If the enemy have duly considered all the various dangers and difficulties attending the enterprize, it is of very little signification at what particular period the attempt may be made; whether it be in the third, fourth, or fifth year of the war; we should only consider, that the longer it is delayed, the more formidable it may prove, and it is our first and most essential duty to be fully prepared to meet it, let it come whenever it may. With the attention that I have been able to give to this subject, I once thought, that a general view of the defence of the country would be the best; but when I consider that there are so many difficulties attending the subject, the finances of the country, the state of Ireland, and many others of various natures, I have been induced to prefer coming to a motion of a narrower kind. I mean, therefore, to confine myself to the notice I gave of a particular defence of the country, and that I shall also endeavour to narrow as much as possible, in order to enable gentlemen to take as clear and perspicuous a view of it as possible. It is not, therefore, my intention, to take any notice at present of the naval defence of the country. In the next place, Sir, as to the volunteers, considering that the system has been so lately discussed in this

House, it will be needless for me to touch on them, except as an incidental subject, and by way of illustrating or strengthening any other.

I come, therefore, to the particular ground on which I mean to move, leaving it open to gentlemen to turn it in their consideration, and to form such opinions on it as to them shall seem best. I mean, Sir, to confine myself to the land defence; and in doing so, I beg leave to observe, that passing by for the moment the volunteers, there are, in my opinion, two great objects to be kept in view, and on which the utmost reliance may ultimately be placed. These are, the regular army on one hand, and an army consisting of labourers, artificers, and peasantry, on the other. Now, Sir, as to the regular army, I have listened with the greatest attention to the arguments used by the right honourable gentlemen opposite, and also to those repeatedly urged with so much zeal and ability by an honourable officer (Colonel Craufurd) behind me, between which statements I find there is a difference of, at least, one half. This being the case, I should be glad, Sir, to know what objection his majesty's ministers can have to acquaint us with the real state of our army? They have frequently favoured us with different statements of so much and so much; but I would wish to have the real state. This cannot, Sir, give any fresh intelligence to the enemy. When we have the number of regiments, and not the number of rank and file, we have only a defective statement. What danger can there possibly be in giving that? At all events, I think such statements will be much better known from papers on the table, than from the partial, mutilated accounts which the House receives from the different statements of ministers, at different periods of time, without any documents by which we can fairly judge of their accuracy. With respect to one circumstance, Sir, I own I cannot but feel considerable surprize. I have repeatedly heard it asserted, that, with regard to Ireland, our force there is at this moment as great as it was on the conclusion of the last peace — an assertion which may possibly be true, but which I must own it is somewhat difficult to believe. I speak now, Sir, of the regular force, and in so doing, I must say, that with respect to the regular army in Ireland, I do not mean to confine myself to troops of the line only, but to include the Irish militia, and the British fencible regiments, which, at the conclusion of the last war, amounted in Ireland to 50, or 60,000 men. To them are to be added the several English militia regiments, at that time in Ireland; and when this is done, we may perhaps come to something like a certainty on these points, but not otherwise. As to what relates to the artillery, it is not the number of guns

alone, but of drivers, horses, carriages, ammunition, &c. which should be fairly and accurately stated, in order to enable us to form any thing like a competent judgment on the subject. I think, also, Sir, that with respect to Great Britain, the statement of his majesty's ministers, that our forces are greater than at the conclusion of the war, is by no means more accurate than those statements they have given us respecting Ireland. But I have been told, Sir, that if I had had my way, and my advice had been adopted, we should have had a still less force than we now have. This, Sir, is stating the question comparatively between a state of war and a state of peace, which certainly stand on very different grounds; and I appeal to the recollection of the House whether, on every occasion in which I recommended a low establishment, I did not expressly confine it to a supposition of the continuance of peace; and that I never could have done so, had I conceived that his majesty's ministers intended so soon to renew the war. My opinion has invariably been in favour of a large regular army, in time of war; but peculiarly so, where we had to begin with so extreme and pushing a necessity, for the defence of the country. No man, Sir, can have a higher or more favourable opinion than I entertain of a militia, considered as a constitutional defence. I know also that the discipline of the militia is carried to a degree of excellence far beyond what it has ever been in former times; but with all that can be said of that brave and respectable body of men, no man can say that the militia is equal to regular troops; it is impossible to conceive that those who have not seen service can be equal to those who have repeatedly been in action.

Having thus slightly touched on this subject, I will now proceed to observe on what has been our progress in recruiting. We have been told that it has gone on as well, notwithstanding the various measures which have been adopted by ministers, as it used to do in former periods. I must here, Sir, beg the House to recollect, that different times afford proportionate differences in recruiting. It cannot be doubted, that every difficulty thrown in the way of our manufactures and commerce, must facilitate the recruiting service, so long as such difficulties exist. Now, Sir, however strong this favourite theory of the day may influence the minds of ministers, I have no hesitation in saying, that in point of practice, it is not so easy to get a man to enlist for life for 10*l.* as it is to obtain one for 50*l.* to enlist for a limited service. And I will maintain, Sir, that it is an extravagant proposition to say that the recruiting service has not been injured. And though I should be inclined to admit, by way of argument, that we have actually gained in the course of this year, yet I

insist, at the same time, that we should have done so in a much greater degree, had it not been for the bounties which have been given with so lavish a hand. I am not arguing this subject now, by way of inquiry; but when ministers declare their intention of suspending the army of reserve, I cannot avoid pointing out to them that, for fear they should succeed, they are taking the utmost possible pains to meet themselves in their own market. There is, however, one measure, which I will venture to recommend, and that is, to leave off the monstrous custom of particularly distinguishing this country from all the rest of Europe in military economy, by enlisting men for life. What shall we say, if we are told, that those who have the greatest military powers on foot, that those who have the greatest demand for military forces, and who govern countries where every thing gives way to the army, enlist men only for a limited time? But in this country, whose pride and boast for centuries have been that of enjoying the greatest freedom of any nation under the sun, your soldiers must be slaves for life. Now, Sir, it is not from my own opinion and feelings alone that I venture to speak so decisively on this subject; but I am convinced of the propriety of it from the authority of officers of the highest character and respectability, not in our own army only, but in those of almost every other military power in Europe. If, however, I went on that principle only, I would not, at such a crisis, venture to recommend an alteration. But this, Sir, I say, is not only what ought to be done, but what ought particularly to be done at this time. In support of this doctrine, I beg leave to mention a fact, which is well known to have happened within the last twelve months. A whole regiment of the proposed army of reserve would have enlisted into the regular army, if it had been for limited service; and as it is at present, very few indeed have been prevailed on to do so with all the influence that could be exerted. This is not mere theory; it is reasoning that is almost self-evident. Who does not know the effect produced among the lower orders of the people when any of their own class enlists into the army? They consider him as lost to the community for ever. If a son enlists into the regular army, his disconsolate parents consider him as in a manner annihilated, and the wretched father has frequently been known to distress himself, and the rest of his family, to hoard and scrape together a sum that may be sufficient to buy him off. Now, Sir, let us take it in another point of view. Let us consider the time of life when this is generally done. By the established law of this country, and a most wise law it is, no man or

woman is allowed to be capable of entering into any contract for the disposal of their property, or of their persons in marriage, till they arrive at a certain age, and that age is in all cases fixed, at the period of arriving at man's estate, at 21 years. Yet, in the particular case of enlisting for a soldier, when it is perhaps the result of momentary passion or folly, or the effect of intoxication, a poor, ignorant, unfortunate lad of sixteen or seventeen, is allowed to enter into a contract which is to bind him for life to a state in which he is liable to be sent from his friends and country to any part of the world. If, therefore, this evil could be alleviated, it would undoubtedly very much contribute to increase the satisfaction and happiness of the lower orders of the people; and such persons as tradesmen and farmers, far from looking on their sons as they now do, lost to them for ever, would, on the contrary, part from them with a certain degree of satisfaction, in hopes of seeing them return, in the course of a few years, improved in their manners and demeanour, and with a superior knowledge of men and things, which might render them more fitted for the very purposes to which it was their original intention to bring them up. In answer to this, it may perhaps be urged, that if the soldiers who compose the regular army were enlisted for a certain time only, those who had it in their power would all quit at once, and so we might be left without an army at all. But this I take to be an assumption by no means warranted by the nature of the case. On the contrary, I believe it has been pretty clearly proved by experience, that those who are really the best soldiers become so from a decided liking to the service, and having been so long enured to habits which they have imbibed by degrees and grown partial to from age, are the most likely when their time is out to re-enter. What! it will be asked, without any additional reward? Certainly not. They will expect and be entitled to an increase of pay, or a new bounty, which is the first principle of recruiting the army. This mode of increasing our regular force, when added to the other, namely, the taking away the competition produced by the army of reserve, &c. cannot fail to produce advantages which may be almost said to be incalculable. The next circumstance, Sir, which I wish to advert to, as having greatly retarded our recruiting for the regular army, is the pernicious consequence of raising men for rank. This being a custom which has long prevailed, will require great steadiness and perseverance to prevent it. How far it is even to be regulated, I will not pretend to say; and I beg leave to observe, that I am not now mentioning this as a peremptory measure, but only as a desirable

one, which I heartily wish should be attended to. I wish the House to go into a committee, in order to see what may be done towards increasing considerably our regular army, and to ascertain how far and in what proportion the competitions which have existed have retarded and injured the same.

Now, Sir, having stated this on the subject of the regular army, I shall proceed to the other more general and extensive armament, the volunteers. In doing this, it is not my intention to go into the question of how far the first formation of the volunteers was political: how far it was right to encourage them to so great an extent; how far it was then either right or consistent to repress their ardour, and discourage their zeal; how far it was politic to give such extensive exemptions, when no exemptions at all were looked for, and then to dispute, inch by inch, every privilege that had been granted them. The zeal of the volunteers certainly stands on high ground; and it cannot be denied, that having the volunteers, we have obtained a very large, and, it may be hoped, what will in time turn out a very efficient force. They are meant undoubtedly to act with the regulars; and if they are, in any great proportion employed, must prove a most material weapon. Still, Sir, we must not neglect the next material weapon which the nature of the country has put into our hands; I mean an armed peasantry. I own, that if these were meant to fight in battalion, they would not be so truly efficient as volunteers; but I beg leave to be understood, that I am not technically speaking of an army. An army, however efficient, is not the only power, in a country like this, which ought to be looked to: there is a general force besides, which is equally, or perhaps more formidable to an invading enemy, which would be continually throwing itself in their way, and harassing and distressing them at every turn and on every occasion; sometimes when least expected, and always with great advantage to themselves. I have been told, that I want to substitute an armed peasantry in the place of the volunteers. Sir, I would have the volunteers come to the trial; but still I would also get the others. I should never have done, were I to state all the advantages resulting from such a body of men, and will therefore content myself with citing only a few. In the first place, the enormous expence of the volunteer corps may tend in time greatly to diminish them. What then will become of the state, should a great proportion of the volunteers be disbanded or dissolved? In possessing an armed peasantry, you have a formidable force ready on all occasions to act in aid of a regular army. Who has not heard of the

almost innumerable advantages attendant on having persons ready and willing and able to fight on the spot, or in the neighbourhood of those places in which they have been used to live, who are accurately acquainted with the topography of the country, which must give them a power almost incalculable, from their being able to take advantage of every rising ground, and its adjoining valley, to fall upon the enemy, as circumstances may require, to his almost certain defeat and discomfiture? I freely confess I see more advantages in this, as a permanent rather than a temporary system, which war may and certainly will give birth to, but which being once fairly raised and trained, may remain as a strong bulwark and invincible defence of the country. I say, therefore, arm the people, but do not put an end to the service, which we may purchase at a trifling expence of money and of time, both in war and peace. It would become in a very short time an amusement instead of a toil, and each man in a parish would pride himself in being thus considered as the intrepid guardian of his own family and rights, as well as those of his neighbours, so that the whole country would soon become linked in a band of patriotic affection, which all the foreign foes in the world would never be able to sever or cut asunder. This, Sir, I am clear in, that the more you place confidence in the people of this country, the better you will find their behaviour. If we had a number of armed persons in every part of the country, we could quell every insurrection without the interference of the military. It is not, however, to times of peace that I am to allude, but rather to the time of war. Supposing an enemy to land in this country, I must not shut my eyes to the possibility of an English army being defeated. Will any man say, that if a report of the English army being defeated were circulated through the country, it would be a matter of indifference whether we were armed or not throughout the whole kingdom? Even after any partial success of the enemy, it would not be in their power to procure provisions, or any other accommodation, without sending a detachment of their army to force it, and such detachments might be successfully opposed, and even their victories, in the end, might prove their ruin. Let us now take another view of the case, and suppose that the British army had gained an advantage, but had not put the enemy to a total rout, will any man say, that if an army were forced to fly in different directions, the rallying of that army would not be rendered exceedingly difficult by means of an armed peasantry?

I shall now proceed to take a view of what has actually been done by ministers to provide for the defence of the

country; and, first of all, with regard to the defence act, passed last session: I wish to make a few observations on the unlimited assertion of his majesty's prerogative. I attach to myself some blame in having participated in such an assertion. It certainly is impossible for members to watch every word and sentence of every bill that is brought in; and, therefore, the particular authors of each bill are looked to as more peculiarly responsible for glaring errors. I believe that ninety-nine acts out of a hundred pass without being examined as they ought to be, by the members of the House, consistently with their strict duty. But, it is in a particular way the duty of ministers, that no bill be suffered to assert any false or dangerous doctrine, in the persuasion that it may pass unobserved in the hurry of legislation. In July 1803, the alarm of invasion was so imminent, according to ministers, that the defence bill must be passed by acclamation; and the zeal of the country being roused to meet the invasion, which was to take place in August, no time was to be lost in weighing and judging of the bill. Accordingly, I find we overlooked a most serious declaration in the preamble of the bill, and which, certainly, if I had seen, I should have exerted my utmost efforts to have corrected, namely, "that the king has a right to command all his liege subjects to take up arms," &c. a doctrine which, to be admitted as true, ought to have been qualified and defined. It may be said, that his majesty has the right to do justice, but he is to do justice according to law. It may undoubtedly be said of any community, that they possess the means of preserving themselves; that, on the principle of the *salus populi suprema lex*, the power of calling forth the physical strength of the community must reside in it; and that the king, as the head, represents this community, and is the organ of its will. But this species of reasoning the spirit of our constitution utterly reprobates. The rights which our sovereign possesses are defined as well as limited: and this has been most ably stated by a great judge, who, speaking of this sort of abstract right, made use of these words: "for I freely declare, that ancient precedents, unless supported by modern usage, in cases of prerogative, have little weight with me." Nothing can be more true than these words of Mr. Justice Foster; and nothing can be more applicable to this strange assertion in the preamble of this act. No such right can be claimed by the king; no such right, however it may have been part of the undefined prerogative in ancient times, can be exercised after the words of the statute in the 25th of Edward III. A statute made in an epoch which I respect, because the statutes of that period were marked by their wisdom, and by principles of sound

legislation. In a statute of that year it is expressly declared, that "no person shall be liable to serve but such as are bound by their tenures." If, indeed, there were such a prerogative, it would be impracticable. The constitution has wisely planted an inseparable check over the abuse, and, thank God! not one of the ancient undefined prerogatives can be exercised against the liberties of the people. To what an extent, and to what complete overthrow of every thing for which our ancestors have successfully contended, would this right go! Money has been, perhaps by a strained metaphor, called the sinews of war. If his majesty has the right of commanding the military service of his subjects, he must also be supposed to have the right of maintaining them; and so the power of the purse would be taken out of the hands of the representatives of the people. I state this only to shew how improper and unjustifiable it is to introduce such an expression into a bill, and how negligent it is to let it pass. And it is not in the preamble of this act only that we see a dangerous door opened to abuse.

Let us look, then, at the enactments of the general defence act, respecting this prerogative, which is asserted to be inherent in his majesty. It states, that in the event of invasion, or the appearance of the enemy in force upon the coast, it shall be lawful for his majesty to call out the persons who are enrolled under this act in the different counties; that it shall be lawful to call them out in such proportion as shall seem meet; to place them in any regiment of regulars, militia, or fencibles; to put them under martial law, and march them to any part of the coast, &c. This act, therefore, without any limit or qualification of rank, age, or station, empowers the king to compel any individual, however unfit for military service, to serve in the ranks exactly on the footing of enlisted soldiers, to be subject to all the severities of military duty and of martial law. If this really be the prerogative of his majesty, it is one which cannot be contemplated without anxiety. Not to suppose the existence of great and violent abuse, it is sufficient to know, that such power is liable to abuse; and no man, with the sentiments of freedom, and the confidence of independence, can feel perfectly easy, when he reflects, that to a law so unqualified he may be subject. Is it possible to reflect on such a power, without seeing how it may be abused and perverted? It may be an extreme case, indeed, to state, that its sweeping provisions give authority to the king to take the Prince of Wales, place him under the command of his footman, and march him in that inferior capacity against the enemy. I know that such a case is impossible, but it illustrates the boundless authority which the act confers, and

which, in many instances, it is quite easy to conceive might be exercised. Might not a tradesman or a farmer, be hurried away from his family and occupations, and placed under the command of a corporal or serjeant, their own servants? Persons of every situation may be pitched upon by malice or by revenge, and sent to perform military service, for which they are unfit. I do not understand exactly the mode in which these provisions are to be reduced to practice. If the quota of men to be furnished by a parish was to be fixed by ballot, the inconvenience might frequently be very great, even where a sense of abuse did not aggravate the case. The ballot might, without any distinction of rank, age, or circumstances, compel any man to serve in person. In truth, a principle more inconsistent with that sound and rational equality, which all laws and all human institutions ought to aim at in the imposition of burdens, never was devised. In practice it must be productive of extreme inequality, hardship, and grievance. From a true equality the principles of subordination flow; but, in the operation of such measures as this, all distinctions are annihilated, and every thing is levelled under the discretion of the crown. Indeed, ministers themselves, on some occasions, have acknowledged enough to shew that they were convinced that the general defence act could not be carried into practice. It was said by one of them, that the defence act would have "given way;" and so it must, for such extravagant powers could not have been exercised without an abuse that would have proved fatal to the measure. But still ministers contended it had been of use, as it backed the volunteer system. What! was it, then, thought necessary to goad the people of this country forward in the defence of their houses, their property, and their liberties, by the terror of these severe provisions? I am certain that the spirit of the nation required no such spur. Why such bugbears then? Why thus compel the volunteers on, like a front rank by the bayonet of that behind it? But, in truth, what was this bugbear? Ministers admit that this act might have "given way!" What was the value of this threat, this stimulus of the general defence act, which had its use? At any rate, if the people wanted a spur, as they do not, would you employ a menace, which, in fact, had in it nothing that could really alarm? At least you ought not to threaten what you cannot enforce. I remember an anecdote of one of your predecessors, Sir, who is allowed to have maintained the dignity and authority of the chair in a manner superior to all those who went before him, however he may have yielded to those who have come after him. It was a custom with the late Mr. Speaker Onslow, when any member was guilty of any irregularity, to

say, "Take care, Sir, or I'll name you." And, on one occasion, a member, not much frightened by the threat, asked coolly, "And suppose you do name me, what will be the consequence?" "The consequence!" replied the Speaker, "God only knows!" Now, in the same manner, ministers have thought it convenient to keep up the terror of the general defence act, in order to stimulate the volunteers; yet they are sensible, that the menace would fail them, and that if they were to be asked, what would be the consequence of their threat, their answer would be, "God only knows!" for no man could think of putting in practice a measure so pregnant with oppression and injustice.

Having seen, therefore, that the general defence act could be of no avail as a bugbear, what practical good was it calculated to afford in strengthening our means of repelling invasion? I have repeatedly stated, that I conceived it desirable that, in addition to our other means of defence, we should have an armed peasantry. Ministers themselves go so far as to say, that an armed peasantry may be of use to back the volunteers, as the latter will be of service to back the regular army. They have never, however, proposed any rational practical means by which this advantage can be obtained. Let us, therefore, go into the committee, and discuss the subject. Let us there try if we cannot devise some mode of strengthening and confirming whatever is well conceived in the present system of defence, by that which all consider useful and important, though in different degrees. Let us there discuss how the peasantry are to be called out, armed and arrayed. Let us discuss how, in case of emergency, they are to be employed; how far, if fire arms cannot be found, pikes may with advantage be put into their hands, and whether it may be necessary to place them under martial law, or by what other code they may be rendered subject to discipline. These are fit objects for discussion in the committee, and there alone, indeed, can they be discussed with advantage. There, too, we may revise, amend, and improve the different measures that have already been passed for the public defence; there we may correct their errors, remove their contradictions, and increase their effect. I have already hinted the general importance of calling forth the exertions of an armed peasantry, and in this, even those who think more highly of the volunteers, will perfectly concur, because the armed peasantry is not intended to supersede the volunteers. As to a detailed plan on this head, I do not propose to trouble the House with any at present: neither am I prepared to say how far this service should be voluntary or compulsory. That the voluntary zeal of the country would supply every thing that could

be desired, I am perfectly convinced. At the same time, if it should be thought necessary to make the service in some degree compulsory, I will not say that it might not be proper to make some provision for it. Nevertheless, the means of calling forth that aid must be freed from that injustice and inequality to which the general defence act would now be liable. How, likewise, is this force to be armed? And if muskets cannot be furnished to all, surely those who are most inclined to despise the pike, must admit that the pike is a much better weapon than the spade or pitchfork, with which alone the peasantry are now armed, even were they so arrayed and organized as to be capable of being employed with effect. These, however, and many other questions which are naturally connected with the subject, and which will, no doubt, be more particularly insisted upon this evening, will be proper for the consideration of the committee, which it is the purpose of my motion to institute. I shall therefore conclude with moving, "That it be referred to a committe of the whole House to revise the several bills for the defence of the country, and to consider of such further measures as may be necessary to make that defence more complete and permanent."

The motion was supported by Mr. Pitt and Mr. Windham, and opposed by the chancellor of the exchequer, Mr. Secretary Yorke, Sir William Pulteney, Mr. Tierney, and by Mr. Perceval, the attorney-general.

Mr. Fox rose to reply, and addressed the House to the following effect: — Sir, so much of this debate has been employed in personalities; so many observations have been made upon the character and construction of the motion, and upon the manner in which I introduced it, and so little has been said upon the motion itself, that it becomes necessary to trespass upon the House with a few observations. If ever there was a debate conducted with the spirit of party, indeed I ought rather to say with the spirit of faction, it is the present. If ever there was a case, in which those who opposed a motion displayed a total want of talent and capacity, and in their room had recourse to unjustifiable personality, it is the present. I will begin what I have to say with a few observations respecting myself. I have been used to debates of this kind, and have always observed, that when those whom I have opposed are pressed hard, and feel themselves in danger of a defeat, then I am sure to have all my political sins set forth in array against me; then I am sure to be told of my attachment to French principles; of my culpable love of peace, and of the coalition. I waited in confident expectation that they would

go back, as usual, to the Middlesex election, but in this I was for once disappointed. We will begin first with the coalition, an event which occurred one-and-twenty years ago, before, I believe, the learned attorney-general engaged in public life. If he wants any information upon that subject, I wish he would not apply merely to me, but to others, and to what he, of course, will consider more respectable authority. Let him apply to one of the members of the present administration, I mean the president of the council, who will give him some information upon the principles on which that measure was founded. Let him apply to one of the post-masters-general, who was supposed to have had a considerable share in bringing about the event, and from the information which the learned gentleman will receive from his friends, he will be able to form an opinion upon the subject. The learned gentleman has this night indulged himself in a declamation against union of all sorts; but he does not seem always to have entertained such a violent antipathy to them. When a number of my friends, whom I valued most highly, joined the late administration; when the Duke of Portland, when one of the present post-masters-general, when Earl Fitzwilliam, and several others with whom I had for years concurred in opinion, coalesced with the late ministers, where then was all his indignation, where was all his declamation against coalitions. When I was hurt and vexed, as I certainly was by the loss of such friends, did I attribute their conduct to any thing but an honourable difference of opinion, which forced them to take the part they did? Whenever a coalition is in favour of a ministry of which he forms a part, then it is entitled to every praise; but if it should have the effect of disturbing such an administration, then it immediately becomes the subject of the learned gentleman's vehement invective. The learned gentleman then represents me as an admirer of French principles. I do not know his history from the beginning of the French Revolution; but I believe that was an event at which ninety-nine men out of every hundred were extremely rejoiced — I mean the overthrow of the government of France; and I believe that even his majesty's ministers at first entertained similar sentiments upon the subject. But the learned gentleman combines the Revolution with all the dreadful events and crimes that followed, and makes me a party to the whole. The learned gentleman, I presume, is acquainted with the history of his own country; let him look to the year 1641; he will find that good and honourable men took a part in producing the events of that time; he knows also that they were followed by miseries and crimes which those men could neither foresee nor prevent; and it

was one of the misfortunes of this country, that those calamities made men afterwards go into an opposite extreme; and this will always happen as long as human nature remains the same. But I clearly perceive the disappointment of the learned gentleman. He appears of late to have employed himself in considering parties; he looks at my right honourable friend (Mr. Windham) and at me; and he takes it for granted, that whatever change may take place, we cannot come in; but the right honourable gentleman (Mr. Pitt) he supposes will come in, and upon these suppositions he formed his speech. He therefore came down ready to treat me with every species of hostility, supposing that I should make a long speech against the ministers, and he prepared a very moderate reply for the right honourable gentleman under the gallery, who, he took it for granted, would be rather gentle in his censure of them. All his venom was, therefore, poured out upon my right honourable friend (Mr. Windham) and myself, while he lavished his still more disgusting adulation upon his right honourable friend (Mr. Pitt). He is not satisfied with praising the former ministers, but he says, that nothing could give greater satisfaction than the return of that right honourable gentleman to administration, and that this is a fact of which the present ministers are perfectly convinced. But is he aware how strongly he is censuring his present friends by such language? He is actually accusing them, in the technical words of an indictment, "that they, well knowing that he, the said Mr. Pitt, was a fit person to be minister of this country, and well knowing that his return to administration would give general satisfaction, nevertheless wilfully, at the instigation, I will not say of whom, did continue to retain their places and offices, to the exclusion of the said right honourable gentleman, from the office of minister." But it must be observed, that all this praise of the right honourable gentleman is only conditional. They say to him, "You may return to office, and it will give great satisfaction; but you must take care not to bring any new friends with you; because if you do, then you will lose all the praise we have given you." One would really suppose by the apprehension which he expresses about me, that I was a barrister, and that he thought I wanted to supersede him in his office. The learned gentleman has been very liberal of his advice; he advises my right honourable friend (Mr. Windham) to take care of his character; he advises his right honourable friend (Mr. Pitt) not by any means to join with us; but I do not recollect that he has been kind enough to bestow any advice upon me. Dr. Johnson once said to a person who was loading him with praise, "Pray, Sir, consider

what your praise is worth, before you bestow it so liberally." So, I must beg the learned gentleman to consider what his advice is worth, before he is so lavish of it.

It has been contended that this is an unusual motion: in answer to this, I only beg to refer to the journals, where innumerable precedents will be found. But it is said, your object is to turn out the ministers; why do you not move openly at once? If this motion has the effect of turning out the ministers, I shall like it the better; but I take it to be more parliamentary to prove the misconduct of ministers before a motion is made to dismiss them. It is said, why do you not move to censure ministers? Why, this motion does contain a censure upon them for not doing their duty; for not taking any steps to increase the regular army; for not taking any measure for arming the people — and these are charges which they will find it difficult to answer. It may be asked, why did I not bring forward this charge before? My answer is this: I thought it fair to wait to see whether ministers would adopt any effectual steps for the security of the country; and finding they did not, I thought it my duty to make this proposition to the House. — The right honourable secretary of state says, that this motion is only a pretence, that the real object of it is to turn out ministers, and that every member ought to vote upon that idea. I most sincerely hope they will; for if every member, who thinks that the ministers ought not to continue in their stations, will vote for this motion, I shall not despair of dividing in a majority. It is asked with great eagerness, if you remove the present ministers, who will you put in their place? To this question my answer is this: I would exercise the constitutional power of the House of Commons in endeavouring to turn out incompetent ministers, but I would never invade the prerogative of the crown by pointing out who were to succeed them. I wish to turn out those ministers because I think they are a curse to the country, but I should never think of interfering with the prerogative of the crown in the appointment of their successors. Upon this subject, therefore, I can give no answer.

Another topic of public animadversion has been noticed by the learned gentleman with the bitter spirit of malignity, if not in the language of disappointment or despair. It is the clamour against a supposed coalition. If I have experienced a return of friendship from those with whom for some years I have widely differed in public opinions, and with whom any difference at all times was a subject of sincere regret, I cannot conceive why the union of sentiment on this occasion should call forth so harsh a reprehension from the

learned gentleman; but if there be any crime in embracing a return of former friendship and affection, between men who had always entertained for each other private sentiments of esteem, I have no hesitation in pleading guilty to the charge. Thus much I think due to attentions which are always grateful to my heart; and I cannot see any just cause why the learned gentleman, in the hey-day of his spleen, should attempt to interrupt our intercourse, or disturb our repose. It surely is not necessary that either they or I should consult him on our selection of friends, or ask his leave how far our mutual civilities should extend. With regard to a coalition between myself and the right honourable gentleman under the gallery, (Mr. Pitt,) I know of no other coalition, no other cause of co-operation, than what may appear to both fair and honourable as members of parliament, acting for the best interests of the country. I am totally unacquainted with any sinister views or private understanding. I know of no other cause, no other secret spring, than what may be openly proclaimed at Charing-cross. Surveying the very critical situation of public affairs, fully persuaded that some effort should be made to restore the credit and the honour of the country both at home and abroad, we have publicly concurred for the honourable attainment of the same desirable object; and it is hard, indeed, that public men cannot agree upon public measures without being liable to the bitter reproach of the learned gentleman and his colleagues. In my motion of this night, I am proud of acknowledging the powerful aid of the right honourable gentleman (Mr. Pitt); but with the particular line of conduct or argument, which the right honourable gentleman meant to adopt, I was, before the delivery of his speech, as completely unacquainted as any man in the House. So far we may safely disclaim any coalition or private understanding. It is evident, indeed, that we fully concur in one particular opinion: we are perfectly agreed as to the weakness and incapacity of the present ministers. The motion now before the House will prove, if a committee be granted, the truth of this position; and should it be negatived, no proof can, from that circumstance, be inferred, that the ministers are either wise or able to conduct the affairs of a great empire. With all my condemnation of their measures, I have no hesitation to acknowledge that some of their acts I approved, believing them for the good of the country. But there is no general rule without an exception. Am I always to support their measures, whether wise or foolish? Am I always to agree with them, whether in peace or war? Although I approved of the peace, as necessary for the interest of the country, yet I disapproved of some

of its articles. With all my partiality for the peace of Amiens, I could not see any propriety in the shameful surrender of all our conquests. So glad, however, was I of the return of peace, that I did not dwell much upon the terms. Had such a happy event been properly managed, we might still have been at peace. But foolish and improvident ministers are ill calculated to avail themselves of the advantages of such an event. I do not, however, now oppose them, because we are at war, but because the country and its interests are in the most imminent danger.

The House divided on Mr. Fox's motion:

	Tellers.			*Tellers.*	
YEAS	Mr. Whitbread, Earl Temple	204	NOES	Mr. Tierney, Mr. Wallace	256.*

ADDITIONAL FORCE BILL.

June 18.

ON the 5th of June, Mr. Pitt, the new chancellor of the exchequer, brought forward his plan for the military defence of the country, and moved, "That leave be given to bring in a bill for establishing and maintaining a permanent additional force for the defence of the realm, and for supplying his majesty's regular forces, and for the gradual reduction of the militia of Great Britain." Leave was given to bring in the bill, and on the 18th, at the close of a debate which lasted till four in the morning, on the motion that the bill be engrossed,

* On the 12th of May Mr. Addington resigned the office of chancellor of the exchequer, and Mr. Pitt was appointed to succeed him. The following is a List of the New Administration:

First Lord of the Treasury, and Chancellor of the Exchequer — Right Hon. William Pitt.
President of the Council — Duke of Portland.
Lord Chancellor — Lord Eldon.
Lord Privy Seal — Earl of Westmoreland.
First Lord of the Admiralty — Lord Viscount Melville.
Master-General of the Ordnance — Earl of Chatham.
Secretary of State for the Home Department — Lord Hawkesbury.
Ditto for Foreign Affairs — Lord Harrowby.
Ditto for the Department of War and the Colonies — Earl Camden.
President of the Board of Controul for the Affairs of India — Lord Castlereagh.

Mr. Fox rose and spoke to the following effect: — Sir, I shall not at this late hour, and on a question which has been so often and so victoriously discussed, take up much of the time of the House in adverting to the topics which the right honourable the chancellor of the exchequer has thought proper to take up. In a discussion on a bill of this kind, I am not surprised there should be so great a difference of opinion. But in one of the arguments of the right honourable gentleman with respect to these topics, he has said, that the mode which has been pursued to get rid of this bill has been very personal. I can only say, Sir, that in every business that comes before this House, on whatever subject it may be, no one can be more averse to personalities than myself. I ask the right honourable gentleman, and I think I can safely appeal to the House, whether, till he himself brought them forward, one single word was said on that subject? and whether they were not entirely owing to himself, and to the honourable gentleman (Mr. Canning) sitting by him? Whatever may be the inclination of the right honourable gentleman opposite to enter on subjects of a personal nature, I can assure him that I do not feel the smallest inclination to follow his example; age has diminished my propensity to such contests, and instead of wishing to shew my prowess, I wish rather to shew my prudence. I can say,

Lenit albescens animos capillus,
Litium et rixæ cupidos protervæ,

although in other times, and in other circumstances of the country, the latter part of the quotation would have better suited my disposition,

Non ego hoc ferrem, calidus juventâ,
Consule Planco.

Chancellor of the Duchy of Lancaster — Lord Mulgrave.
Secretary at War — Right Hon. William Dundas.
Treasurer of the Navy — Right Hon. George Canning.
Joint Paymaster of his Majesty's Forces — Right Hon. George Rose, Right Hon. Lord Charles Somerset.
Joint Postmaster-General — Duke of Montrose, Lord Charles Spencer.
Secretaries of the Treasury — William Huskisson. Esq., William Sturges Bourne, Esq.
Master of the Rolls — Sir William Grant.
Attorney-General — Hon. Spencer Perceval.
Solicitor-General — Sir Thomas Manners Sutton.
Lord Lieutenant — Earl of Hardwicke.
Lord Chancellor — Lord Redesdale.
Chief Secretary — Sir Evan Nepean
Chancellor of the Exchequer — Right Hon. Isaac Corry.
} of Ireland.

In addition to my disinclination to treat the subject in such a way on the present occasion, my principle would be to avoid it. I certainly have entertained the opinion ever since the commencement of the present war, that it would be of the greatest advantage to the country, if, forgetting all former animosities, it were possible to form an administration on a broad basis, combined of all parties, and uniting all those whom the country think proper to look up to. There are, however, one or two points of the right honourable gentleman's speech, on which I must beg leave to make a few observations. He says, that his majesty is by his prerogative unquestionably entitled to choose and appoint his own ministers. This is a position which nobody is more inclined to acknowledge than myself. But how does it apply to his argument? He admits that it may be wise in the House of Commons so to conduct itself as to convince his majesty that he ought to remove them. He has admitted it more than in words; he has admitted it in fact. I do not know what the right honourable gentleman means by an opposition composed of such discordant materials, that there is scarcely a point on which they can agree. If I recollect rightly, there was a period when what he has said of my honourable friends would equally apply to himself. There was a period, and that at no very great distance, in which that right honourable gentleman himself supported, and a time also quickly succeeding, in which he opposed the late administration. In the course of a few months, he supported, with the utmost warmth, all the military measures of the right honourable gentleman, his predecessor, and very soon afterwards he opposed the army of reserve suspension bill, in order to make way for the present measure, which he gave the House to understand would be found so much more efficient at the present important crisis.

To return, however, to the prerogative of the crown. If it be, which I do not deny, the prerogative of the king to choose his own ministers, it is equally the right and the duty of the House of Commons to judge of the capacity and the intentions of those ministers; and if they should be found deficient in the confidence of the House of Commons, and in the confidence of the country, such disapprobation is a strong and fair ground for the king to dismiss them. If ever there was an administration that was deficient of that confidence, I think I may fairly and justly say it is the administration now in office. When the right honourable gentleman is attacked on the subject, he has no other answer to give, but "look at me," as if the whole administration were wrapped up in himself. He says, Lord Melville is likely to be a better first lord of the admiralty than Earl St. Vincent; and, after speak-

ing with the greatest complacency of himself, and the two secretaries of state, he asks the right honourable gentleman on the bench below him, (Mr. Addington,) whether he is not practically convinced that this is a new administration? If any one person was more disappointed at the formation of the new ministry than another, I should have thought that it was the right honourable gentleman himself; it is what his friends give out for him. I should be sorry to give credit to the rumours which are abroad, and which go strongly to prove, that all his wishes centered in the object he has attained. But he has dealt harder with my friends on the lower bench. He says they wished to see him at the head of the government, and, provided that were the case, they should be happy. He then taunts them with refusing him their support in his new administration. Undoubtedly, Sir, he had a right to offer situations to whomsoever he pleased, and they as undoubtedly possessed the power of refusal; and if they thought that in an administration so formed they could do no good to the country, their refusal was meritorious.

The right honourable gentleman says, he thinks the opposition to the present bill extraordinary, and that it is dictated by a desire to give a hint to ministers to retire. On some principles of the bill, he says, the opposition totally differed, and then he asks, how they would have agreed, had they formed part of an administration? There, indeed, I cannot answer the right honourable gentleman. How far he might have insisted on any one or more parts of his bill, and how far he might have conceived that we ought implicitly to yield to his opinion and to his direction, I cannot pretend to say; but this I know, that an administration formed on a broad and comprehensive basis in times of danger, would be highly beneficial to the country, and that we should have entered into such an administration with the spirit of conciliation. The right honourable gentleman says, we may give as many hints as we please; he will not take them; but I should be glad to know, if the House of Commons shews that it has no confidence in him, does he mean to say that he will not take the hint? Did he not give a hint to the right honourable gentleman on the lower bench, his predecessor? If public rumours are not very much mistaken, there are some of the present administration who did advise their colleague to give way, when he saw the sense of the House of Commons was against his measures. I do not know who they were, but I hope they did not give the hint, in order that they might have "two strings to their bow." The right honourable gentleman was pleased to say, that it would be absurd in the cabinet to be counting noses as we do in this House. I dare say, Sir, he is

perfectly right; and if his intention was to form an administration in which there will be no counting of noses, I believe he has completely succeeded. If, Sir, for our opposition to this bill, we are told that we are "a faction," we are told no more than the right honourable gentleman himself was told, a few hours before the late administration were turned out of office; and told, too, by that very noble lord (Hawkesbury) who has consented to accept the office of secretary of state for the home department, under the administration of the right honourable gentleman. The right honourable gentleman has mentioned the change which has taken place in the secretaries of state with some exultation, and contends, that in such a proceeding there is no degradation. The right honourable gentleman is most undoubtedly at liberty to form his own judgment on such an humiliation; I can only say, that I totally differ from him in opinion.

Now, Sir, having made these few observations on a subject which it is my constant desire to avoid, I shall trouble the House with a few words on the bill itself; which, whatever the right honourable gentleman may please to surmise, I declare to be the sole object of my opposition. After all that has been said of the army of reserve bill, the right honourable gentleman must be perfectly aware that this bill cannot be agreeable. He has laid great stress on the clauses which he has introduced this day, by which 70,000 men are to be embodied during the war, and then disbanded at the peace, but registered, so that in case of any future war, they may be called on to serve again. I cannot help suspecting that these clauses are a new thought, and not at all belonging to the present bill. This, I will venture to say, is by no means so good as a militia; for in that kind of force you know where to find the men. You look for the Yorkshire militia in Yorkshire, and the Kentish in the county of Kent. But where will you find this army? These battalions are to be composed of such a mixture of men from all parts of the kingdom, that you may have to look for the Yorkshire in Cornwall, and the Cornish in Lancashire. In short, there will be no knowing where to find them. The right honourable gentleman says, is not my mode more likely to be efficient than any other system? I answer, No. It will not be so efficient either as the militia or the army of reserve. The mode of raising recruits by parish officers I must severly condemn. The influence of parish officers can be attended with no other advantage in the raising recruits than what results from a system of terror and oppression, which cannot fail to be the case in such a system as the present, where persons are to be fined for not doing what it is impossible they should be able to do. Besides, fines are in

themselves a species of punishment, and punishment ought never to attach to persons who have been guilty of no crime.

As a measure of finance, the public most assuredly have not gained by the present bill. I contend that there is the greatest inequality in a system of taxation by fine, such as this is. For instance, suppose I send my servant to market to buy a bushel of wheat, or any other grain, but I tell him, at the same time, that he must not, on any account, give more than half-a-crown for the bushel. "Half-a-crown, Sir," says the servant, "I cannot buy a bushel of wheat for that sum; it is worth seven shillings a bushel, and no one will sell it for less." "No matter," say I; "you must give no more than half-a-crown, and if you do not buy it for that money, you shall be punished with a fine." In the same way will it exactly turn out with the recruits under this bill. Men will not enlist for the sum to which these parish recruiting officers are restricted, and then the parishes must be fined, which will prove as great a hardship as can well be conceived. The whole system is also very unequal, for it falls much heavier on the landholder than on any other description of persons, and with the greatest inequality even on those. I see no reason why the mode of recruiting for the regular army advised by my right honourable friend, (Mr. Windham,) who has taken the lead on military subjects, in a manner so honourable to himself and so beneficial to the country — I say, I see no reason why that mode should not be tried. Why not enlist men for a limited time, or for limited service? I am one of those who are exceedingly sanguine of such a mode of recruiting the army. I have no doubt but such a trial would be attended with success. I can, however, see no possible advantage, but only the contrary, in enlisting men for a limited service, in order to seduce them afterwards into general service, which is to be the operation of the present bill. Because the army of reserve could not do its service with the ballot, it is rashly presumed that this bill will effect the same purposes without the ballot; a mode of arguing, which militates expressly against the nature of things. For my own part, I voted for the suspension of the army of reserve bill, for the express purpose of giving this measure an opportunity of being fairly and fully discussed; and now that has taken place, I am convinced it is one of the most oppressive, as well as one of the most inefficient measures, that could well be devised, for the purposes it is intended to effect. Indeed, to speak of the absurdities of the bill in detail, would be ridiculous. I just now said that the bill would be found both inefficient and oppressive. But then comes the right honourable gentleman with his famous dilemma. "How," says he, "do you make that out? How can my bill be oppressive and in-

efficient too." I say, Sir, the bill will occasion very considerable oppression without producing any considerable addition to your force. The bill appears to me, in every part of it, full of oppression and injustice, and tending to a more circuitous mode to recruit your regular army, than the plan proposed by my right honourable friend, (Mr. Windham,) and as such I must continue to give it my determined opposition.

Before I sit down, there is one observation which fell from the right honourable gentleman, upon which I cannot avoid saying a few words. The right honourable gentleman says, "if you throw out my bill, I shall be sorry; because you and the country will lose a good measure, but you will not thereby be the nearer getting rid of me." A more indecent and disrespectful expression from a minister to a House of Commons I never heard. Is not this bill a bill of considerable detail, requiring the general consent and approbation of all ranks of the community? Is it possible, I ask, that this House can so far lose sight of its duty as to send a bill of such unexampled severity and oppression to be executed all over the country, contrary to the opinion of nearly one half of its members? Can such a bill be well executed by a country that disapproves of it? It must be allowed that the bill, with all the influence of government, will be carried by only a very trifling majority. Under such circumstances, it cannot be executed with that general good will and general consent by which only its operations can be rendered beneficial to the country.

The House divided on the motion, That the Bill be engrossed:

	Tellers.			*Tellers.*	
YEAS	Mr. Long Mr. S. Bourne	265.	NOES	Earl Temple Mr. St. John	223.

PROPERTY TAX.

February 18. 1805.

MR. PITT having this day proposed, among the Ways and Means of the year, an addition of one-fourth, or threepence in the shilling, on the Property Tax,

Mr. Fox said, the addition now proposed to be made on the property tax, I am sorry to say, will, if I am not much mistaken, lay the foundation of endless calamity to this coun-

try. One great objection to the tax on income is, that it affords a facility of getting near what we would most lament — that state in which a minister could take the property of the subject indiscriminately. This is precisely what we have to lament in regard to the tax on property, which can only operate as a facility to that deprecated end. This time 25 per cent. are added, possibly there will be next time 25 per cent. more put on it; after that, possibly, it will be doubled, then trebled, until the principle is silently, but fatally established, of taking the money of the subject wherever and however it may be found. I have also another objection to this tax, that though it is less unequal than the income tax, it is still very unequal. Landed property and property in the funds contribute fairly. But the other descriptions of property, such as arise from commerce and industry, do not pay in any proportion. If this is the case, I tremble for the consequence of going on increasing this tax. If a property tax be allowable, even in time of war, it is only on the ground of its being regular and moderate. If this is to continue many years, and consumption, so far as yielding a revenue, is at an end, it is likely the property tax will be considered as a land tax, or any of those other taxes that are voted annually as matters of course. I do not say that this crisis is near, God forbid it should be! If ever we come to the state when we cannot levy taxes on consumption, we shall inevitably be going the road that leads to the point at which we take from our income, where we can, and all we can, till we go to the principal, and in time take that likewise. With these impressions of the vast impolicy of such a growing tax as this, I own that I do from my heart wish the right honourable gentleman could have devised any other measure. I never approved of this tax, nor of the principle on which it was founded, and I think that limits should be set to it which cannot be exceeded.

In reply to Mr. Pitt,

Mr. Fox denied that the arguments for the increase of the property tax were such as applied to all taxes. For when a house tax became too high, a man might avoid it by ceasing to keep any house; but property was a thing to which there could be no limit till the whole was taken. With respect to wine, tea, or any other articles of consumption, taxation might proceed without reserve, because the individual would always have it in his power, as soon as the tax became oppressive and intolerable to him, to desist from them. He therefore preferred taxation of this sort to proceeding on dangerous principles, taking by little and little from the property of the

subject, till the reduction was tantamount to the risk of the whole. Every body knew how human nature was worked upon by every thing that assailed it by degrees. He remembered a fable, which, to elucidate the force of habit, related, that a woman in a certain village had a calf, which she accustomed herself to take in her arms every day, and from the gradual increase, was able to bear it when it came to be a large ox. The fable was a good one, but he did not like it in its application to the present case. For, however we might be able to bear this little calf, we could not possibly bear the great fat ox it would grow to. He, therefore, could not possibly approve of a tax that had no natural limit in itself.

PROCEEDINGS RESPECTING LORD MELVILLE.

April 8.

THIS day Mr. Whitbread brought under the consideration of the House the subject of the Tenth Report of the Commissioners of Naval Inquiry, and concluded a speech of great length, with moving the following Resolutions:

1. "That it appears to this committee, that on the 18th of June, 1782, the House of Commons in a committee of the whole House came, amongst others, to the following Resolutions: 'That it is 'the opinion of this committee, that some regulations ought to be 'adopted for the purpose of lessening and keeping down the 'balances of public money, which appear to have usually been in 'the hands of the treasurer of the navy; and it would be beneficial 'to the public if the first and other clerks in the different branches 'belonging to the said office, were paid by fixed and permanent 'salaries in lieu of all fees, gratuities, and other perquisites whatsoever.'

'That it is the opinion of this committee, that from henceforward the paymaster-general of his majesty's land forces, and the 'treasurer of the navy, for the time being, shall not apply any 'sum or sums of money imprested to them, or either of them, to 'any purpose of advantage or interest to themselves, either directly or indirectly.'

'That it appears to this committee, that the commissioners 'appointed to examine, take, and state the public accounts of the 'kingdom, have, so far as appears from the reports which they 'have hitherto made, discharged the duty intrusted to them with 'great diligence, accuracy, and ability; and if parliament shall 'carry into execution those plans of reform and regulation which 'are suggested by the matter contained in the reports of the said

'commissioners, it cannot but be attended with the most bene-
'ficial consequences to the future welfare and prosperity of this
'kingdom.'

2. "That in furtherance of the intention of the House of Commons expressed in such resolutions, his majesty, by his warrant dated June 26th, 1782, directed that the salary of the treasurer of the navy should be increased to the sum of 4000*l.* per annum, in full satisfaction of all wages, and fees, and other profits and emoluments theretofore enjoyed by former treasurers.

3. "That it appears to this committee, that during the treasurership of the right honourable Isaac Barré, the conditions of the aforesaid warrant were strictly complied with; that the whole of the money issued from the exchequer to Mr. Barré for naval services was lodged in the bank; that it was never drawn from thence previously to its being advanced to the sub-accountants, to be applied to the public service; that during the time Mr Barré acted as treasurer and ex-treasurer, he had not in his possession or custody any of the public money, and that neither he nor the paymaster of the navy did derive any profit or advantage from the use or employment thereof.

4. "That the right honourable Henry Dundas, now Lord Viscount Melville, succeeded to the office of treasurer of the navy on the 19th of August, 1782, when a further addition was made to the salary of the said office, in order to produce a net annual income of 4000*l.* after the payment of all taxes and charges on the same; and that this additional salary was considered by the said Lord Viscount Melville as granted to him in lieu of all wages, fees, profits, and other emoluments, enjoyed by former treasurers.

5. "That the said Lord Viscount Melville continued in the said office till the 10th of April, 1783; that being asked whether he derived any advantage from the use of the public money during that period, he, in his examination before the commissioners of naval inquiry, declined answering any question on that head, but that he has since, in a letter written to the said commissioners, and dated the 28th of March last, declared that previous to 1786, 'he did not derive any advantage from the use or employment of any monies issued for carrying on the service of the navy;' but Mr. Douglas, who was paymaster, being dead, and his lordship having refused to answer any question on this head as aforesaid, no evidence has been obtained as to the application of monies issued for the service of the navy, or the mode of drawing the same from the bank during this period.

6. "That the honourable C. Townshend, now Lord Bayning, held the office of treasurer of the navy from the 11th of April, 1783, to the 4th of January, 1784, and that from the examination of his lordship, it appears that, during his treasurership, no part of the money issued for the service of the navy was applied to his private use or advantage; and that he does not believe that Mr. Douglas, who acted under him as paymaster, derived any profit or advantage from the use or employment of the public money except the money issued for the payment of exchequer fees.

7. "That the right honourable Henry Dundas was re-appointed treasurer of the navy on the 5th of January, 1784, and continued in the said office until the 1st of June, 1800.

8. "That in the year 1785, an act of parliament was passed, 25 Geo. III. chap. 31. intituled, 'An Act for better regulating the office of treasurer of his majesty's navy;' whereby it is directed, that no money shall be issued from the treasury to the treasurers of the navy; but that all monies issued for naval services shall be paid to the bank on account of naval services, and placed to the account of the treasurer of the navy, and shall not be paid out of the bank unless for naval services, and in pursuance of draughts signed by the treasurer, or some person or persons authorized by him; which draughts shall specify the heads of service to which such sums are to be applied, and that the regulations under the said act shall take place from the 31st of July, 1785.

9. "That the execution of the said act was postponed till the month of January, 1786, and from that time till the month of June, 1800, when Lord Melville left the office of treasurer, contrary to the practice established in the treasurership of the right honourable Isaac Barré, contrary to the resolutions of the House of Commons of 18th of June, 1782; and in defiance of the provisions of the above-mentioned act of the 25th of Geo. III. chap. 31. large sums of money were, under pretence of naval services, and by a scandalous evasion of the act, at various times drawn from the bank and invested in exchequer and navy bills, lent upon the security of stock, employed in dicounting private bills, in purchasing bank and East-India stock, and used in various ways for the purposes of private emolument.

10. "That Alexander Trotter, Esq. paymaster of the navy, was the person by whom, or in whose name, the public money was thus employed, and that in so doing he acted with the knowledge and consent of Lord Viscount Melville; to whom he was at the same time private agent, and for whose use or benefit he occasionally laid out from 10 to 20,000*l.* without considering whether he was previously in advance to his lordship, and whether such advances were made from his public or private balances.

11. "That the right honourable Lord Viscount Melville having been privy to, and connived at the withdrawing from the bank of England, for purposes of private interest or emolument, sums issued to him as treasurer of the navy, and placed to his account in the bank, according to the provisions of the 25th Geo. III. chap. 31. has been guilty of a gross violation of the law, and a high breach of duty.

12. "That it further appears, that, subsequent to the appointment of Lord Melville, as treasurer of the navy, in 1784, and during the time he held that office, large sums of money issued for the service of the navy, were applied to other services; and that the said Lord Melville, in a letter, written in answer to a precept issued by the commissioners of naval enquiry, requiring an account of money received by him, or any person on his account, or by his order, from the paymaster of the navy, and also of the time when, and the persons by whom the same were returned to the

banks, or paymaster, has declared, that he has no materials by which he could make up such an account, and that if he had materials, he could not do it without disclosing delicate and confidential transactions of government, which his duty to the public must have restrained him from revealing.

13. "That Lord Melville, in applying monies issued for the service of the navy to other services, stated to have been of so delicate and confidential a nature, that, in his opinion, no account can or ought to be given of them, has acted in a manner inconsistent with his duty, and incompatible with those securities which the legislature has provided for the proper application of the public money."

The first resolution being put, Mr. Pitt moved the previous question thereon. After the resolution had been supported by Lord Henry Petty, Mr. Tierney, and Mr. Ponsonby; and opposed by the Attorney-General, Mr. Canning, and the Master of the Rolls,

Mr. Fox said he should be extremely unwilling to suffer this question to be put without expressing his sentiments upon it. For if, unhappily, the vote of the House should be opposite to that which he hoped and wished, he should feel very uneasy indeed that his name should partake of the universal odium that must attach to any decision tending to second such notorious delinquency as the report on the table exposed. He could never reconcile it to his mind to be silent upon such an occasion, lest he should be suspected of declining to mark with the strongest reprobation guilt of a nature so glaring, that any man who gave it the sanction of his vote, or attempted to protect it from punishment, must be viewed in the light of an accomplice, or one at least disposed to become the accomplice of similar transactions. Before he proceeded to the merits of the charges under consideration, he thought it proper to notice the arguments of the gentlemen on the other side, not because he considered those arguments possessed of any intrinsic force, but lest from the authority of the persons from whom they proceeded they might have the effect of leading the House to a decision, which, if it should correspond with the wishes of those by whom such arguments were used, must destroy its character with the country and with all Europe. The first gentleman with whom he would begin was the master of the rolls. That learned gentleman had directed the whole of his observations to shew that the House should go into a committee in order to ascertain whether the breach of the act of parliament, not of which Lord Melville stood charged, but of which he confessed himself guilty, proceeded from corrupt motives. If corruption consisted merely in a man putting money into his own pocket, according to the vulgar conception, perhaps

some of the deductions of the learned gentleman would be right. But he would contend that nothing could be more corrupt, in his opinion, than to permit a man's own agent to convert the money of others to his own private emolument. This was the amount of Lord Melville's confession; and although it might be possible, from a further examination, to prove the noble lord more guilty, it did appear to him utterly impossible to prove him less so. For the most conclusive evidence of the noble lord's corruption, he would only refer to that paragraph in the report, in which the noble lord stated, that although he knew his agent Trotter was applying the public money to other purposes than that for which it was legally intended, he did not prohibit him from doing so. What was that, he would ask, but complete corruption, even taking the case *simpliciter*; but combining it with other circumstances, could any man entertain a doubt upon the subject of his guilt? What greater aggravation of his delinquency in tolerating the breach of his own act of parliament could be imagined than allowing his agent to misapply the public money, for the safe custody of which that act was intended?

But it was pretended that no loss had accrued to the public from this malversation, and a very singular argument was advanced, that as there was no loss there was no risk. Now, said Mr. Fox, it unfortunately happened in certain parts of my life, which I do not quote with a view to recommend my example to others, that I was in the habits of engaging in certain speculations, which are commonly called gambling. If a man should, in that kind of speculation, win a large sum of money, I am sure that an argument would not thence arise that he had run no risk. I rather think the natural inference would be that his risk was considerable. Probably, however, in this case, Lord Melville did take care that Trotter should not lose any money. Trotter was the confidential agent of Lord Melville, and Lord Melville was the confidential agent of the state. Therefore, in this sort of speculation in which Trotter engaged, Lord Melville could guard against much risk. If two men play at cards together, and a third person stands behind one of them and throws hints to the other, he that receives the hints is tolerably sure of winning. Just so in this business; Lord Melville knew when the navy bills were likely to be funded, and Mr. Trotter could act upon the information he might receive. Will any one say, then, that from such acting upon such information, no loss would accrue to the public? On the contrary, I maintain, that the public did suffer a loss of one per cent. upon the discount of such bills. But, then, the learned

gentlemen desired the House to go into an inquiry, in order to obtain farther evidence. He would appeal to the judgment of the House, whether any farther evidence could be necessary to enable it to come to a decided opinion upon the breach of law which the noble lord himself confessed. That opinion the House was called on to declare. The public had a right to demand it from them.

It was said, that the House ought not to think of acting judicially, of inflicting punishment without the fullest examination into the merits of the accusation, and affording the accused the fullest opportunity of vindicating himself. And that so far as the confession of Lord Melville went, he had been already tried. He would, however, defy those gentlemen who rested their objection so much upon the question of punishment, to shew, that it was at all in the power of that House to inflict any punishment on such delinquents as Lord Melville and Trotter. But if the House should determine on prosecution in any way with a view to punishment; whether by directing the attorney-general to prosecute; whether by moving an impeachment, or preparing a bill of pains and penalties, which perhaps would be the more proper mode of proceeding, he would maintain that the confession of the party accused would be evidence to proceed upon, and that the House was now called on to act, as it must in every similar case, as a grand jury, to pronounce upon the guilt of the accused. It was strange to hear it asserted, that the accused was not guilty, because no loss had accrued from [redacted]dalous transaction. To those to whom the loss of [redacted]as nothing, perhaps, it might be said that no loss had [redacted]. But what was the loss of honour to that government [redacted]hich, after such a palpable instance of delinquency, should [redacted]erve its connection with the delinquent? And what the loss of character and honour to that House, should it attempt by its vote, to screen such a delinquent? — infinitely more than any sum of money could amount to.

Whatever the learned gentleman to whom he had already adverted might assert, he could not see that any farther inquiry could be necessary to enable the House to decide that a great public officer, who allowed his servants to make illicit profits from the public money, in the teeth of an act of parliament, was guilty of a most serious offence. The guilt consisted in the violation of the law, and it never could be pretended that any such violation could be innocent. When private individuals became the objects of suspicion, it was their own affair; but when suspicion attached to men of high rank in the state, it became a matter of great public interest. Putting all the circumstances of the case together,

he could not see that any thing could be obtained to avert the judgment of the House from farther inquiry. Whatever delay might take place, there was only one mode of confirming still farther the guilt of Lord Melville, and that was in case Trotter should "'peach;" but there was no mode or evidence possible to be imagined that could refute that which Lord Melville himself confessed. On that confession, then, he called upon the House to adopt the motion of his honourable friend.

With respect to the charge of Lord Melville's having participated in the profits resulting from Trotter's application of the public money, he could not say that there was direct evidence before the House; but there certainly was strong ground of suspicion. The noble lord, it would be recollected, retained the office of treasurer of the navy for several years after he was appointed to that of secretary of state, and when in that House allusion was made to the circumstance of his holding the two offices, the answer from the other side of the House was, that although he held those offices, he [illegible] received the salary of secretary of state, and nothing from the treasury of the navy. Did not this justify something more than suspicion? Why should the noble lord so fondly cling to this office of his friend, Mr. Trotter? There were many other persons among even his own relations who would have been glad to occupy this situation. But, no; Lord Melville seemed particularly attached to it, and would any man of common sense, in considering a thing of this kind, make no inference from that attachment? Another objection arose against the proposed committee, from this consideration, that he did not see that any of the difficulties which some gentlemen complained of could be removed; that any of the obscure accounts could be explained. Those accounts were, indeed, of such a nature, that the parties themselves could not understand them, and how, then, could it be possible for a committee of that House to make any thing of them? It had been said that the House should proceed with the utmost deliberation in deciding upon character. But upon whose character were they to decide on this occasion? Not, certainly, upon that of Lord Melville, for his character was entirely gone; but upon the character of the House and the government, which must depend upon the vote of this night. As to the character of Lord Melville it was so completely destroyed in public estimation for ever, that he would venture to say, that were the vote of the House unanimous in his favour, it would not have the slightest effect in wiping away the stigma that was universally affixed to his name. What, then, must the world think of retaining such a man at the head of the

glory of the country? It was dreadful to reflect, that the most honourable claims should be placed at the disposal of a man, with whose name dishonour was inseparably associated —who had confessed himself guilty of an act of corrupt illegality.

Are we, said Mr. Fox, to connive at and approve of all this, when even the right honourable gentleman, who has moved the previous question, will not go the length of approving all he has done. Sir, we have heard to-night, with sentiments of exultation, the brilliant efforts of a noble friend of mine (Lord Henry Petty) on the bench behind me. There is not a man in the House capable of appreciating virtue and genius, who did not feel a secret satisfaction at the speech of that noble lord. I recollect, Sir, when the right honourable gentleman on the opposite bench (Mr. Pitt) made his first essay in this House. I recollect, and many in the House must recollect also, the just pride which we all felt to see him, much about the same age then that the noble lord behind me now is, distinguishing himself in hunting down corruption, in unmasking abuses in the public expenditure, in proposing and enforcing reforms of various kinds. What a contrast does his conduct on this night afford! "Heu! quantum mutatus ab illo!" The right honourable gentleman who now fills the office of treasurer of the navy, (Mr. Canning,) asserts that it is physically impossible to act up to the letter of the act, and has amused the House with an account of fractional sums of 8*s*. 6*d*. 14*s*. and 2*s*. and then turns short upon us, and asks how it is possible to pay all those trifling claims by drafts upon the bank? I do not say it is; but does he not keep money in the iron chest of his office to pay them, and are not the sub-accountants furnished with the means of liquidating them? But these abuses, it is said, can never occur again; Mr. Trotter, in his dying legacy to his successors, has pointed out the means of preventing it. No; it shall not be done for the future, says Mr. Trotter, and he bequeaths that to his successors which he never thought proper to enjoy himself. The act can never be violated again. I hope not. I hope the decision of the House this night will render it impossible for the gentleman who at present holds the situation of treasurer of the navy, or for any future treasurer, ever to violate it. But if we do not come to this decision, what security have we, that future Melvilles and Trotters will not break through any new act we may pass, in the same way in which they have done the resolutions of this House in 1782, and the act of the 25th of his present majesty founded upon them. I hope and trust, Sir, that a large and virtuous majority of this House will be found to put the seal and stamp of their reprobation

upon such monstrous and unblushing delinquency. But, say some gentlemen, the depositions are not evidence. That I deny. If an impeachment were carried against my Lord Melville and his associate, these depositions might be produced against them at the bar of the House of Lords. Really, Sir, I have a strong repugnance to enter into all the disgusting particulars of the conduct of this person with whom I had once some slight connection. God knows, it was a connection of hostility; but after what appears on the face of this report, I should be ashamed of myself if I belonged to the same class of society with him. What is any honourable man to think of a person, who either refuses to answer a plain question, or who answers it equivocally, and under reservation? "Did you derive any advantage from the use of the public monies in the hands of your paymaster?" "To the best of my recollection I never did."—Now, the honourable gentleman's objection to this is, that the noble lord should have occasion at all to mention his recollection on the subject. He should have been confident. There are some cases where a man may be allowed to speak as to his recollection, while in others, to mention it is to betray him. If a man were asked, whether he was on a particular night in a particular room with John à Noakes, it might be very well to answer, that to the best of his recollection he was not, but if he were asked whether John à Noakes did not charge him with an attempt to pick his pockets, and kick him out of the room—what would be the inference if he were to answer that John à Noakes did not, "to the best of his recollection?" With respect to the noble lord's offer to swear positively that he did not profit from the misappropriation of the public money, it was remarkable that his offer was confined to the period in which Mr. Douglas, who was now dead, was paymaster of the navy, but did not at all extend to the paymastership of Mr. Trotter. What was the conclusion, then, to be drawn from this? Why, that he was ready to make oath as to the paymastership of Douglas, because he was dead, but did not think proper to swear as to Trotter, because he was alive.—As to the letter which has been brought forward, and which, in my opinion, only aggravates and confirms his guilt, we never heard any thing of it, although his examination took place in November, until a few days previous to the day appointed for his trial. It is said that Lord Melville never saw it till it was in print. Can any one believe it? Is it credible that the noble lord never had the curiosity to dispatch some confidential friend to make an extract of that part of the report which he had good reason to suppose must refer to him? When, indeed, he finds the

effect of it on the public mind; when he finds that there is not a man, woman, or child, in every corner of the kingdom, in whose mouth the tenth report is not to be found; then, in order to do away the impression of it, he comes forward with this letter. But what can he now gain by this last shift of his? Nothing at all. But if he was suffered to avail himself of the delay he sought for, would not the country feel that the House of Commons favoured public abuses, screened a great delinquent, and that our navy, the greatness and glory of the nation, was still governed by that very man? Then in what respect would the government be held in the eyes of the people and of foreign nations, should this man, in a state of accusation and suspicion, be suffered to hold his present high situation, when the bravest and most honourable commanders in the army and navy are always suspended from duty during an accusation of which the result might be an honourable acquittal. The impression on the public mind would now be, that Lord Melville fled for protection to power and not to innocence. I hope and trust that this dreadful and disgusting business, like all other evils, will produce some good; that this day will be an æra for commencing an examination into all public abuses, and be the forerunner of such reforms as shall prevent great mischiefs in the country. I hope the right honourable gentleman will himself undertake this great work; and that the commissioners of naval inquiry, to whom the country is so much indebted, will continue their laudable and salutary pursuits, and bring every great delinquent to condign punishment.

The House divided:

	Tellers.			*Tellers.*	
Yeas	Mr. Whitbread Mr. Calcraft	216.	Noes	Mr. Huskisson Mr. Wallace	216.

The numbers being thus equal, the Speaker gave his casting vote against Mr. Pitt's amendment. The original motion was then carried, and the rest of the resolutions agreed to.

Roman Catholic Petition.

May 14.

THE order of the day being read for taking into consideration the petition of the Roman catholics of Ireland,

Mr. Fox rose and spoke as follows:

Sir, at the same time that I cannot help feeling a considerable degree of anxiety at being about to bring before the House a subject which, according to my conception of it, seems, in its probable consequences, some nearer and some more remote, to be of the very highest importance; yet, I confess, I feel infinitely less agitated than upon many other subjects on which I have lately had occasion to address you. It is certainly a sort of recreation, if I may be allowed so to express myself, after having been obliged to perform the harassing duties of accusation; after having promoted enquiries into circumstances, certainly not more honourable to the country at large than to the individual concerned in them; after having had my mind so harassed and occupied, to feel that I am not now the mover of accusation, but that I am pleading the cause of my fellow subjects, and that I am endeavouring to add to the strength of the country, without taking from the credit, power, or authority of any living man in the empire. I cannot help being sensible of the contrast between the duties lately imposed upon me, and that of attempting to draw the attention of the House to a subject, which, however embarrassing the discussion of it may be to some persons, has at least this advantage, that it rests entirely on principles of general affection and good will, connected with views which every man must approve, and no man can condemn. The question, Sir, that I have the honour of bringing before you, and I do feel it a great honour to have been desired to bring it before you, is no less than a petition, signed not indeed by any very great number of persons, but embracing, and I take it at the lowest calculation when I say, one-fifth of his majesty's subjects. Nay, further, I believe I shall not be incorrect, if I state them at one-fourth of the whole of his majesty's subjects in Europe. My duty, therefore, calls upon me to plead the cause of three or four million of the people of Ireland, without reference to the proportion they bear to the population of that part of the empire, but which must be allowed to contain the greater proportion of the catholic subjects of his majesty—a proportion amounting nearer to a fourth than a fifth of the whole population of the empire. I feel particularly fortunate, that when I am pressing the claims of the catholics of Ireland to the consideration of this House, I am not pressing them as adverse or hostile to the power or preeminence, much less the liberty, or privileges, of the subjects of any other part of the country. If I could persuade the House to do justice to the catholics I should persuade them to render a most important service indeed, perhaps the most essential that remains to be done, or that ever was done, for

the security, the greatness, and general weal of the empire, whether with regard to its internal policy, or external relations.

It may be somewhat difficult for me to choose on what part of the subject it is most proper to begin. The plain and simple statement of the question, and the first argument in support of it, would naturally be drawn from matter of fact, concerning which no controversy or difference of opinion ever did or can exist; I mean the number of persons who are affected by the question. If I had not heard that different opinions were entertained with respect to the expediency of granting the prayer of this petition, I should hardly think it could be a question, whether a portion of his majesty's subjects, so considerable as nearly one-fourth, should be on a footing with the remainder, or should have the enjoyment of equal laws, privileges, or advantages, and the full participation and benefit of the constitution and government of the country. Against the principle so generally stated, cause may be shown, suppositions may be urged, and facts may be referred to, with a view to show that this, as well as any other general principle, may be liable to error. I will not detain the House long upon this point; but it is necessary I should call its attention to a topic, which may be considered more an object of theory than any thing else. I shall trouble the House but shortly, and only explain my opinion, that, whatever difference of sentiment and feeling may exist, that difference is purely theoretical — the question, in point of practical application, is precisely the same. What some call rights, and what others call indulgences, are precisely and exactly the same. The differences are rather differences between words than things. There are two modes of considering this question; first, as it regards the rights of the subject; and secondly, as it affects the rights of the crown. That which was most in fashion at different periods of the last century, was the latter mode of viewing it. For my own part, I consider the rights of the people governed to be the prominent rights. I consider, that those who compose the society of a state have a complete and unquestionable right to equality of law; but I at the same time admit, that this principle is not to be taken generally. I admit the force of the other general maxim, that *salus populi suprema lex*, and ought with propriety to be considered as an exception. Not only very able men, but men of practical knowledge, have in their closets considered it in that light. A most respectable modern writer of our own country, now living, (Dr. Paley,) has stated, that the general right of government is to do whatever may be necessary for the advantage of the people: but he, and every man of sense, will tell you, that although this is undoubtedly the general right, yet whenever it is exercised by re-

strictions with regard to one class of the people, such exercise becomes an abuse; or, in other words, the people have a right not to be restricted in any thing that is not adverse to the safety of the country. The people have a right to be exempted generally from unequal restriction; but when the safety of the country demands it, and history shows us that such instances are numerous, they are exceptions to the rule, and have always been so considered.

In the way in which different persons consider this subject, a difference of opinion has been produced, but the conclusion is the same. Some say they would give the catholics what they require, as a matter of favour, and a matter of policy; but not as a matter of right. Now, I say, I would give it to them as a matter of right: but we, however, shall not differ, if the practical consequence of our reasoning come to the same thing. I would give it as a right, because it is the general right of the people, and because there is no exception which ought to operate against the catholics of Ireland. Though government has a right to impose restrictions; yet, if there be no necessity for them, then comes the right of the people to enjoy the benefit of every law, provided such enjoyment is not mischievous in its consequences to the country. It was therefore, Sir, I wished to say these few words, because it is so important a part of the subject, and one which, from the nature of it, cannot be a mere question of to-day, but may recur and become a question for future consideration. I should wish that all should understand each other, and particularly that it should not be supposed there is any essential difference, when, in fact, it is a difference of words rather than of principles. Whatever differences exist with respect to the two theories, it is evident they lead to the same practical consequences. To apply this to the Roman catholics of Ireland: I do not lay down a principle too large, when I state that it is the general right of the catholics, as well as of the protestants, to be on an equal footing, to have equal laws, privileges, and immunities, in all cases where they are not prejudicial to the welfare of the state. The only differences that could arise would be with regard to the degree in which they should enjoy those rights. Cases might be put where persons might say nothing could justify a departure from the rule of right, but expediency. Some might say, political advantages, connected with external relations, would justify it; others would require such a degree of expediency as would amount to a necessity. They would require that not only the greatness of the country, but the security of the country, should be concerned. I flatter myself we shall not go on such near shades. The Roman catholics of Ireland have undoubtedly a right to equal laws; but the govern-

ment has thought fit to curtail that right, and to put them on a footing disadvantageous to them.

To enter into the question, whether the laws for restraining the catholics were originally politic, or, rather, whether they were just; that is to say, whether the policy which dictated them was of such a nature as to render that just which was not within the general rule of justice, would be a discussion exceedingly unnecessary at this moment. At the same time, it will be necessary to attend to the particular period of history in which these restrictions were principally imposed. I think I need not state what will be the argument in reply. No man's mind, I hope, is so framed as to imagine that the restrictions can be justified on account of the length of time they have been allowed to continue. Such an opinion would be a solecism in political reasoning; it would do away the original principle on which such laws were founded, to contend, that though they might be unnecessary at the time they were adopted, yet that, by a long lapse of time, they have acquired a prescriptive right. If a restrictive law is made on account of peculiar circumstances of a political nature, the moment those circumstances cease, the restriction ceases to be politic, and consequently ceases to be just. I cannot conceive how any man can be justified in supposing, that, where the circumstances on which a law is founded have ceased, the justice of continuing that law can be a matter for fair reasoning. It may so happen, though I think it has not so happened in this case, but it has nearly happened, that the fact of long restrictions may make it difficult afterwards to restore the objects of them to that situation in which they would have been if the restrictions had never been imposed. I think one may generally state, that all the restrictions of the catholics were laid, not on their religious but their political opinions. At the time they were made, I have doubts whether many of those who concurred in them did not disapprove of the principle; and I have doubts also, whether others did not mix sentiments of persecution and rancour with those restrictions. I would not wish to go to antient times; but in the early period of the reigns of Queen Elizabeth and James I. no one can suppose it was any particular religious bigotry that led to the restrictions with regard to the catholics. As far as one can learn of the character of Queen Elizabeth, her faith was not so repugnant to the catholic religion as that of many protestant ministers, who were principally concerned in the restrictions. She managed the question with a degree of prudence which proved her one of the most consummate princes of the age. She seemed to be engaged in a general war with several great catholics powers, and particularly with the King of Spain. From the con-

nexion which the King of Spain had with the catholics by the league with France, she was necessarily involved in disputes with France, as well as other powers of the continent; therefore they were political circumstances which occasioned those harsh and severe laws against the catholics which passed in her reign. Whatever other pretences might have been resorted to, it is plain the catholics were not considered as the loyal subjects of Queen Elizabeth. But I am speaking of old times, and the circumstances of them do not relate to the present. Even in the reigns that followed, very few restrictions by penal law were enacted, very few restrictions of disabilities took place till a much later period. This may be accounted for from the circumstance that there was no suspicion of the catholics; but afterwards, in the time of Charles I. and II., suspicions had taken possession of the minds of the people of this country, which made those restrictions necessary, many of which have been done away, and some are now under consideration. When we come to the Revolution, it is impossible not to see that all the laws of the catholics were political laws. It was not a catholic, but a jacobite, you wished to restrain. When King James was driven from the country; when his enormous tyranny became so mixed with bigotry, that many persons professed to be able to unravel his conduct and tell what to attribute to religion, what to bigotry, and what to tyranny, it was easy to suppose that the catholics should be actuated by an attachment for a king who had lost his throne in consequence of his partiality for their faith. Ireland at this time was the seat of civil war. Undoubtedly it was natural, after that war was settled by conquest, to prevent the conquered from enjoying the privileges of the conquerors. It was not against the religious faith of those who adored the Virgin Mary, or believed in the doctrine of transubstantiation. King William was unquestionably a great man; I may say the greatest that ever filled the throne of this or any other country; but whoever would wish to raise his character, by representing him as a persecutor of heresy and idolatry, materially mistake the character of that prince. I am persuaded, that he most reluctantly consented to harsh measures against the catholics of Ireland, and only did so, because it was represented to him by his ministers, that they were absolutely necessary. That King William would have acted wiser, if he had made those restrictions less harsh, it is not now our business to consider. King William, in conceding his own to the opinion of others, acquiesced, on the ground of the difference of opinion among the Roman catholics as to the right of succession to the crown, and in conformity to that advice which his ministers

gave him. The years that followed the Revolution were most of them years of war; and those that were not years of war, were, with reference to the catholics, years of a suspicious nature. Endeavours were made to bring about a religious war, in which it was impossible for the enemy not to have looked with confidence to the assistance of Ireland, and therefore the catholics were disarmed. It might have been wise so to do. That there were bigoted motives actuating some I will not attempt to deny: there were many persons in this, as well as that country, who were of opinion, that by these persecutions they should convert to the protestants the property of the whole kingdom of Ireland: others there were, who thought that more lenient measures were likely to be more successful. The effect proved that the measures adopted not only failed, but that they were of a nature which rendered their success absolutely impossible. They were laws which, though nominally against the catholics, were substantially against the jacobites. In the two next reigns the same laws continued, because the same spirit was supposed to exist, and the same danger to be apprehended from it. In the rebellions which followed, the conduct of the catholics in remaining quiet, gave them a just claim to the indulgence of the House; yet no man who considers the grounds of those rebellions, will think that any degree of trust could have been reposed in the catholics.

We come now to the period of his present majesty's reign; a period at which all danger of a pretender, and the return of the Stuart family to the throne, was extinguished. I should certainly say, that all danger of that nature had vanished in the latter end of the reign of George II., and that there was no longer any dispute as to the succession to his majesty's crown. From that period no further danger existed. During the lord-lieutenancy of the Duke of Bedford, at the time of his majesty's accession, the system of relaxation towards the body of the catholics was adopted. There was a remarkable circumstance at the period to which I am referring, that proves to me more clearly than any thing else, that the causes of these restrictions were at an end. So far was the lord-lieutenant of Ireland, during the American war, and the war with France, from pretending that there was any danger to be apprehended, that upon an alarm on the coast of Cork, arms, though contrary to law, were put into the hands of those against whom the restrictions remained, on account of the unjust suspicion that they were not worthy of being trusted. Then, undoubtedly, there was a good deal of difference of opinion; for although there was not much doubt in this House, yet gentlemen must know that the catholics of Ire-

land were the subject of much consideration. I need only refer to the letters published by the late Mr. Burke relative to the conversations in those days. I remember in 1776 or 1777, the matter being mentioned in a conversation in this House. It became a topic of discussion during the period of the American war, when party politics ran high, and when persons felt warm, as undoubtedly they ought to feel upon occasions of such public importance. The opinion then was, that it was a desirable thing to liberate the catholics from the disqualifications which attached to them; and I rather believe that the real grounds of the motion, and of the bill, moved and seconded by two celebrated names, Sir George Savile and Mr. Dunning, were not so much to relieve the catholics of Ireland. I did conceive, that to bar a man of his right on account of his religious opinions, was tyranny; that the maxim of *salus populi* never could apply, because the safety of the people could not operate as a ground for preventing a man from enjoying his religious opinion. A great disposition was shown to follow up the system of relaxation. It was thought that what had been done might lead to a relaxation of all the laws against the catholics. All that scattered men's minds at the time was this,—an apprehension of the pope or pretender. There might have been in some persons sentiments of respect and compassion, and in others an inclination to taunt or insult; but there was not one person who had any degree of fear or terror, as one single ingredient in forming his opinion. It was said, that the restrictions in Ireland, the ferocious manners of those who were protestants, and the insults sustained by the catholics, had produced, as Mr. Burke says, a degree of desperation in that unhappy people, which made it doubtful how far they were to be trusted. The effect of the system had been that of changing, by degrees, the whole property of Ireland, and that country was brought into a state highly to be lamented. I do not mean to make any comparison between the treatment of the black slaves on the coast of Africa, and that of the people of Ireland; I mean only to state, that it was a circumstance likely to produce the general disaffection of the people, that the whole of the property was in the hands of the protestant ascendancy, while the mass of the population was catholic. Even among those whose forms of government are less free than ours, the property and power should go hand-in-hand, and there should be no other distinction except that of the proprietor and the servant. We began by enabling the catholics to acquire property. What has been the consequence? The power connected with the free trade and constitution we gave to Ireland in 1782, has produced an increase of property be-

yond all proportion greater than that enjoyed by the protestants. There has been not only an increase of mercantile property among the catholics of Ireland, but also of the landed property. This has been attended with the happiest effect. It has produced the effect of softening and correcting those distinctions between the catholics and the protestants which were found so oppressive. The catholics are now possessed of a great deal of that property which was taken from their ancestors I mention this, because one of the apprehensions with respect to the catholics was, that they had preserved memoirs of the ancient state of property, and that, on a favourable opportunity, they were to claim of the protestants all the property that belonged to their ancestors. This objection has been completely done away; for at this moment, if you were to reverse the act of settlement, and restore the property of those who possessed before Cromwell's time, I believe the catholics would be as great sufferers as the protestants. And what catholics? Why, the catholics who are now rich and powerful, viz. the only catholics to whom we would give an addition of power. From the time of the acquisition of property by the catholics, I have never been able to conceive on what principle their demands were not conceded to them; least of all, why particular restrictions should have been kept up, when others were abandoned. What are the restrictions now existing? The general restrictions may be comprised under these two heads: one, the incapacity under which the catholics lie with regard to the enjoyment of certain offices, civil and military; the other, the incapacity of sitting in either House of parliament. Gentlemen who have attended to all this history of the restrictions of the catholics (sorry I am to say, a large chapter in the history of Great Britain,) need not be told, that it has been useless with reference to the ends proposed, and certainly odious to those who have been affected by it. I believe it is not considered by foreigners as that part of our constitution which is most deserving of admiration. The two heads of restrictions are quite distinct. Suppose I proceed to consider, first, that with respect to offices; the restrictions under this head go either to limit the prerogative of the crown or the choice of the people. We restrain the prerogative of the crown in appointing the catholics to certain offices: let us examine on what ground. Originally the test act was for the purpose of excluding the catholics from the service of Charles II., to prevent catholics being appointed by Charles II. to executive offices; and here a very whimsical but strong observation occurs. One of the most popular arguments in favour of the test, with a view to the restraint on the prerogative, and I have heard it frequently used, was, that it was

necessary to make the constitution agreeable to analogy; and that when it was insisted that the king should be of the church of England, it was necessary all his officers should be of the same persuasion. What beautiful uniformity there is in this, I own I cannot see. I apprehend that our ancestors reasoned in a very different manner. I apprehend it was not because we forced the king to be a protestant, that we found it necessary to have his officers of the same religion, but because we doubted whether the king was in reality a protestant or not, and because we suspected him of a design to overturn the constitution of the country, as in the case of James II. If we suspected him of being a catholic, it was right we should not suffer any officers to be near him who might assist him in an infraction of the constitution. But it is the most strange reasoning I ever heard, that because the king being a protestant, and therefore not liable to suspicion, you are to prevent him from having the assistance of his catholic subjects. This test passed in the reign of Charles II., and with the approbation of a very great man, Mr. Locke, who observed, that it might have been a necessary measure. The next reign was that of James II., who was a professed catholic. If there was any virtue in other days — God knows there was little enough in his! If he had repealed the test act, it would have been for the purpose of obtaining the means of acting against the liberty of the subject. Then how came the laws to be continued? The continuation of the test laws after the Revolution, was because the dissenters being included in the test act, it was the object of the high church party to hold the dissenters to a law which they had favoured. It was a kind of compromise, on enacting it against the Roman catholics, to say, we will retain it against you. In this controul of the parliament, it ought to be observed how the question stands. The test does not prevent the king from appointing a catholic to any office, civil or military; it only makes it necessary, after a certain time, for the person appointed to do a certain act. With respect to the catholic dissenters, you have given it up in a great number of points, and you have maintained it in others.

We come now to the distinction of those cases in which you have given up the restraint. You have given it up with regard to all subordinate offices in the army and navy, and in the profession of the law, but you refuse it with respect to the higher offices. Then you say to the catholics, "We have kept nothing from you as a body; you do not all expect to be chancellors, generals, staff officers, admirals, or other great officers; therefore, as you do not all expect to arrive at these distinctions, there can be no harm in forbidding any of you to

obtain them!" Do you wish the Roman catholics to be actuated by a sense that they are trusted by the executive government, or not? If not, and you should, in giving them offices, appear to entertain diffidence and mistrust of them, they will be executed with that remissness and disregard of the public service which such mistrust is calculated to inspire. Suppose I send to a gentleman of the law, and I say to him, it is true you may possess talents, but do you think there is any probability of your being lord chancellor? He might probably answer, that there was not; but is there not a very material difference in having an impossibility and bar put to the advancement of a man to the honours of his profession? Suppose a person is engaged in trade, and he can gain a bare living, or perhaps save about twenty pounds a year. I say to him, "You may go on, and be as industrious as you please, but you shall never make more than 100,000*l.*" He says, he is contented. Well, but does any one think that this country could have arrived at the height it has, if there had been such a restriction on the exertions of industry? It is not because a man's quality is low, that he is prevented by the exercise of his faculties from becoming wealthy; but if you limit his endeavours, you destroy the spirit of enterprise and exertion which impels him, and by such a system finally prevent his success. Do you not think it would be the most destructive blow to the enterprise, industry, and energy of the country, and undermine the principal source of our riches, to put a restraint on the exercise of a man's genius and industry? Do we not often hear of a person, not of consequence either from birth or fortune, say, "I live, thank God, in a country, where, by industry and talents, I may arrive at the fortune of the greatest duke in the land." Is not this cheering? Is not the unlimited power of gain the great principle on which industry, enterprise, and commerce exist? What should we say if men of particular descriptions were to be restricted in their fair pursuits? They stand marked and circumscribed to the limit of their possible gain. Apply the principle to the professions — to the law particularly, the one, perhaps, in which it operates the most. I would ask those who are conversant with the profession, whether it would not damp the ardour of a young man, if he were to be told that he might obtain some pecuniary advantage, but that he could never rise to any office of dignity. I am not supporting the propriety of indulging sanguine hopes, but certainly one of the greatest incentives in the breast of a parent to give his son a good education, is the hope of one day seeing him fill the situation of chancellor, or some other splendid office. Take that hope away, and you destroy the greatest incentive to an

aspiring mind. But when you apply the argument to a military life, how much stronger is it! Is not the very essence of the profession ambition, and a thirst of glory? What can you expect of a lieutenant or captain, who, after exerting himself in the service of the country, comes home, and, reflecting upon the dangers he has shared, admires the skill and ability of his commander, or perhaps thinks something might have been done better — what must be his feelings, if he is obliged to add, "But I can never expect to command an army; all such thoughts are useless; I may be a colonel, perhaps a general, but a general on the staff, that I can never be. I go to my station, because I am a man of honour; but can I do it with the same eagerness as I should do, if, after I have escaped the danger, my reward was to be proportioned?" Does not such a consideration as this lay an extinguisher on military enterprise? Is it not desirable that every man should look, for the purpose of exciting his activity and zeal, to future rewards of the highest sort? But put it in another way. Is it not of importance that every man entrusted with the concerns of others should feel the necessity of gaining a great character for ability and integrity? It is not only satisfactory but necessary. But if you say, there is a *ne plus ultra*, beyond which you cannot go — you are to think only of filling your coffers, *quocunque modo rem*, how different must be the situation of him who feels he can never rise in his profession, though endued with the most splendid talents, compared with the man whose exertions are excited by the prospect of future honours! Do you think these men, the catholics, do not believe themselves to be a marked people, separated from the rest of the community, not on account of their religious opinions, but the political opinions connected with them? In all great concerns, the extent of the justice or injustice is of considerable importance. Who is it you are thus stigmatizing and degrading? Is it a few people of a particular way of thinking? No: it is three-fourths of the people of Ireland, and one-fourth of all his majesty's subjects in Europe. Would you think, that, under these circumstances, such a thing could be, so far as to the part that relates to the controul of the king's prerogative? I ought, however, first to mention the exclusion from being sheriffs; but that is more connected with the jurisdiction I shall have to mention hereafter. Can any body suppose, that government would be likely to put improper persons into the office of sheriff in Ireland? Would they nominate catholic sheriffs to raise disturbances? I say, it is one of the occasions in which it is least possible to suspect an abuse of the king's prerogative, and where it ought not to be controlled.

Now, with respect to parliament, the votes of the peers in parliament subsisted during the reigns of Elizabeth, James I., Charles I. and II., till somewhere about the period of 1698. I would ask the most zealous historian that took the side against the Stuarts, whether any mischief by the votes of the catholic peers did really occur? Here I quote Mr. Locke, who says—"and with respect to the votes of the catholic peers, I think, provided the test act is preserved, they are fit and beneficial." When did they cease? In 1698, upon the discovery of the popish plot, suppose it to be true or false, when the country was thrown into a paroxysm of terror, when it was believed that the catholics were going to massacre the protestants, when it was expected they were to have the assistance of the King of Spain, and when the ridiculous story of the silver bullets was set on foot. It was at such a moment of popular fury this measure passed. No man thought of expelling the catholics from parliament till the people had been put into a paroxysm of rage and terror. Why did they do this? Because there was nothing else to be done against them: it was for no other reason they passed that intolerable law, which put an end to their sitting in the House of Commons. You come now to that part of the case which does not affect to diminish the power of the king, but to controul the rights of the people. You go to the electors of Ireland, and you say to them, you shall not elect a catholic. Upon what principle is it you conceive, that if a Roman catholic has a mischievous project in his head; it can be defeated by keeping him out of parliament? It has always been the objection to the test act, that two descriptions of protestants are in the House of Commons. We know the dissenters do sit, and have become the most meritorious of any of its members. What is the objection to the catholics? That they cannot wish well to the church of England. Why, that is your argument against the dissenters. You do not deny the dissenters the privilege of sitting in parliament, though you say they do not approve the church establishment. But the practice is every thing. What would be the practical effect of the catholics having a seat in the House of Commons? Does any man believe, that if there were a total repeal of these restrictive laws, there would be twenty catholic members returned from Ireland to this House? But I would take it according to the population of the country, and say, that there were four-fifths catholic. If, contrary to all the principles that govern elections, the mere population were the only thing to be considered, this would, perhaps, give about eighty members. Now, the House consists of 658 members. Supposing it possible that eighty catholics were

to be returned out of that number, though I do not think there would be more than twenty, could they be dangerous to the establishment of this country? If the doctrine of virtual representation be well founded, would it not add to the true virtual representation of this country, if three-fourths of the representatives were catholics? When people push the argument to extremes, and say, that this place is not represented, and that place is not represented, but that you have those in the House of Commons who represent the whole community; that the trading and commercial interests, and the military, naval, and learned professions, are all duly represented; that you have the landed country gentlemen, statesmen, and politicians, soldiers, sailors, merchants, lawyers, — in fact, that you have a kind of virtual representation of all the people of the country, — I deny it: you have not the representation of the Roman catholics — you want what you are afraid to have — you ought to desire what they pray for — you ought to have that complete virtual representation they offer you. I have been speaking for the public benefit — I now speak for the benefit of the catholics. You say to the people of Birmingham, Sheffield, and Manchester, it is true, you send no members to the House of Commons, but you have members of parliament who are connected with the commerce and manufactures of those places. It is true; but still it is my wish to have a more direct representation. The fact is, the virtual representation is undoubtedly a vital principle in the constitution of the country. If any particular class of men are excluded, you have not a real virtual representation, in the sense the word representation ought to be understood, implying a sympathy and fellow feeling between the representative and the persons represented. The very substance of representation is, that the members of parliament should not be able to tax their constituents without taxing themselves. Now I say that there is no feeling of this kind with respect to the catholics. Upon the same principle you deprive the electors of Ireland from electing Roman catholics — you deny the corporations the right of choosing them, for they cannot be at the head of any corporation. I want to know upon what principle it is that corporations are to be denied the privilege of appointing catholics to the office of mayor, or other superior offices? Corporations being composed chiefly of protestants, there is not much danger, as some would say, or not much hope, as others would say, of the catholics being admitted. Is not this one of those additional instances in which you keep the stigma without any practical advantages? You fix an unnecessary stigma on the catholics; and an unnecessary stigma is, of all modes of punishment, that

which is most grating to the people, and destructive of the unanimity and concord necessary for the safety of the state.

I shall now say a very few words as to certain objections to the matter of this petition. I think the objections to the jacobites are given up; but it is said, that there is something in the nature of the Roman catholics that makes it dangerous to grant them the same privileges as protestants. Some have stated, that there is a general impropriety and incongruity in persons of different religious principles acting together. I should like to know the theory on which this arguments rests. Why should two men sitting in council together, instead of inquiring how the forces of the country ought to be disposed of, and where the fleets ought to be sent, whether to Jamaica or any other part of the West Indies, fall to a discussion about transubstantiation, and dispute because one adores the Virgin Mary and the other adores the saints? Is it to be supposed that justices on the bench, when they try criminal or civil points, will quit their duty in order to commence idle controversies on religious points? There are countries where the law and religion are one and the same thing; where, consequently, there would be an impropriety in separating them? but I want to know, upon what principle it is that men may not act together, who entertain strong differences on religious creeds. This stands upon theory only, for the practice is against it. Is there in Europe one state or country that does not employ persons of different religious persuasions in the highest offices? In former times even this was the practice, when there was more heat and religiosity. When bigotry was at its height in France, when it led Henry IV. to renounce the protestant and embrace the catholic religion, in order to obtain the throne of that kingdom, did it ever occur to any one to suggest, that the Duke de Sully, his minister, who was a protestant, could not advise with him about public affairs? Was he ever accused of being a bad minister, because he was a protestant? No one ever objected to M. Neckar, the minister of the late king of France, because he was a protestant. Does not the Emperor of Germany employ protestants in the various important affairs of his dominions? The government of Vienna is entrusted to Prince Ferdinand of Wirtemberg, a protestant. It is true, the bigotry of Frederick the Great could not induce him to employ protestants as his ministers or officers; but perhaps it was because he could not find any that were fit for his service. What is the case with Russia? The first employment in the service of the Emperor of Russia is filled by Prince Sartoriski, whose religion is that of the Greek church. With regard to the Swiss cantons, the employment of protestants has been, perhaps, less

than in other places, but they have frequently filled offices of government jointly with the catholics. In the democratic canton of Uri and some others, the catholics are more numerous; a proof that they may take an active part in the administration of a popular government, without any evil consequences resulting from the opinions they profess. In the canton of Appenzel the catholics and protestants are half and half.

The pretender being gone, and all other questions of radical difficulty removed as to him, we now come to another person—the pope. I wish to know whether, during the last two hundred years, the pope has been a person to be feared? If he has, it can only have been in one way, by his oppression of the catholics. Long before the period of the Revolution, all the political influence of the pope, with respect to this country, had ceased. His power became afterwards absolutely insignificant, and during the whole of the question between the houses of Stuart and Brunswick, it was notorious that the pope could not stir one Roman catholic in Ireland. But it is stated that the persons principally concerned in the rebellion of 1798 were Roman catholics. I have no doubt that the catholics had their share in that rebellion. But were they instigated by the pope? What! by the pope, while he was in a state of servitude and humiliation? Did the pope, while he looked to this country as almost his only support, wish to overturn our government, and prevail on the Irish catholics to follow Messrs. O'Connor, Emmett, and M'Nevin? This fear of the influence of the pope, when he has no power to do us harm, and when he cannot do us good, even though he wished it, is perfectly absurd. It is an alarm which can be accounted for on no rational principle. Has the recollection of the proconsuls, sent by the Cæsars to govern this country, left such an impression upon us, as to make us dread every thing that comes from Rome? But it is said, Bonaparte has obtained an influence over the pope, the pope governs the Irish priests, and thus Bonaparte will be able to attach to him the catholics of Ireland. Without canvassing the question of the inclination of the pope to serve the views of Bonaparte, I shall admit that the French government will willingly employ his influence so far as they can obtain it. That the great enemy of this country would be very willing to make use of such an engine to serve his purposes in Ireland, I have no doubt. But how will he use his influence? If you repeal these laws, you will have nothing to fear from that quarter; but if, on the contrary, you persevere in your restrictions, the way in which the influence so much dreaded may be exercised can only be this: the Irish catholics will be told, "an equal participation of

rights was held out to you; but, instead of granting your just claims, instead of affording you the relief and protection you were promised, you are still stigmatized as outcasts. You have, therefore, now only to look to a catholic emperor for assistance, and through him you may expect the emancipation which has been denied you." This is the language which may be used if you are determined to persist in your present system. But, in the other alternative, what influence can the pope have? Suppose he were to direct the priests to take care that none but Roman catholic members were chosen for Ireland; and suppose this influence were so far to succeed as to bring a considerable proportion of Roman catholics into this House among the representatives from Ireland, is it likely that Bonaparte would find many friends among these Roman catholic members? If there were eighty members Roman catholics, it would be an extravagant supposition indeed to say that even three of them would be so dead to all sense of honour and duty, so blind to the interests and happiness of their country, as to become the instruments of Bonaparte. Of the influence to be used in this way by the pope, surely no reasonable person can entertain any serious apprehension. Is it possible to look forward to any circumstances under which that influence can become dangerous? Great men, it is said, have long views; but some views are so long, that my sight, I must confess, cannot reach them. It has been said of our system of government, *esto perpetua*; but I should desire no better security for the power and the constitution of this country lasting for ever, than that they should continue until either a pope or a Bonaparte could obtain a majority in this House.

I must now turn to another view of the question. It has always been maintained, that the differences between the Roman catholics and the protestants are not merely religious, but political. It is on this ground the oaths the former are required to take are defended. The oath is framed against the authority of a foreign priest, though that authority is merely spiritual. But if it be any objection to the Roman catholics, that they deny the king's supremacy, what do you say to the opinions of the people of Scotland? The presbyterian religion, which is established in Scotland, does not admit the king to be the head of the church; and surely the presbyterian doctrine and discipline of it are at least as repugnant to the established religion of this country, as the opinions of the Roman catholics are! Yet Scotland, with this presbyterian church, forms a part of the United Kingdom. But do not the Roman catholics swear, that no temporal consequences whatever follow from the doctrine they hold

on the question of supremacy? They do swear; and yet it is said we cannot believe them. What! are they not to be believed on oath, because they are Roman catholics? To make such a declaration, is to display to my mind either great malignancy of heart, or an extraordinary deficiency of understanding. But, if the declaration were made on the part of the government of this country, it would be an avowal of wickedness beyond any thing I can conceive. Would you say, that you proposed and passed acts of parliament to persuade them to swear that which you would not believe when sworn? Would you own that you wished to seduce them into perjury? The moment you find that a man attends mass, he is therefore a Roman catholic, and therefore no longer to be believed. To add to the absurdity, you frame another oath, to keep out of parliament those very persons of whom it is said you must not believe that which they swear. This is really at once insulting to the understanding and the feelings of mankind. It is more than a generous and ingenuous mind can be expected patiently to bear.

I shall not pretend to enter into controversial arguments on the question of doctrine. Indeed, that is a subject respecting which I own I have neither sufficient learning nor patience to fit me for the discussion; but if I had as much of both as the lord chancellor of Ireland, I am sure his example would deter me from undertaking so arduous a task. When I consider the state of religion in Europe, of which, perhaps, three-fourths of the inhabitants are Roman catholics, I am astonished that such opinions respecting that religion can be maintained. Is it possible that any man can be found bold enough to say of three-fourths of the inhabitants of civilized Europe, that they are not to be believed upon oath? Such an assertion implies, that Roman catholic nations are not only incapable of the relations of peace and amity, but unfit for any of the relations of society. The existence of any such maxim supposes gross ignorance and barbarism in the people among whom it prevails. Every enlightened mind, every man who wishes well to his country, must treat it with scorn and indignation. When a bill was some time ago introduced respecting the army, I objected to the oaths it contained, on the ground that it was not fit to ask any man to take them; but it will be extraordinary indeed, if those who insisted upon prescribing these oaths should now turn round, and declare, that they will not believe them when taken. When the petition I had the honour to bring into this House was first read, the clear and temperate statement of the case which it contains appeared to make a deep impression. I think I could see gentlemen say to themselves,

this is not the way I used to think of the Roman catholics. No, certainly not. It is not the way in which many used to think, because they had received false impressions from persons who perhaps had an interest in misleading their judgment. But it has since been whispered, that the language of the petition signifies nothing, because it is subscribed only by laymen. I can assure the House, however, that there is no ground of any suspicion on this account. The reason why there are no names of priests in the petition is, because it relates only to civil rights; on this account only, clerical persons thought it would be improper in them to subscribe it. The oath, however, has been taken by all the archbishops, bishops, and most of the priests of Ireland; and if it be thought necessary that it should be taken over again, it will be taken. I, however, have always regarded the administration of the oath as improper, and I recollect having some difference of opinion with a late noble friend of mine on this subject, I mean Lord Petre, from whom, had he sat in the House of Lords, the established religion of this country would have had nothing to fear, for he would have only obtained more frequent opportunities of displaying his sincere attachment to the constitution. His lordship defended the oath, because it afforded the Roman catholics an opportunity of publicly contradicting the calumnies reported against them. I said, that that might be an object with him, but it was none with me, and that I did not wish such a law to remain on our statute book. Having stated that I entirely disapprove of this oath, I must, however, inform the House, that I have at this moment, in my pocket, a letter from several of the archbishops and bishops, declaring that they have taken and signed the oath. They also declare, that it contains nothing contrary to the doctrines or faith of the Roman catholic religion, and that it is to be taken equally by the clergy and the laity; but foreseeing that the fact of the oath being taken might be questioned, certificates have been sent from the courts before which it was administered. It is in these courts, therefore, a matter of record, and the authority of the fact is completed.

It is said, that since the Roman catholics have already got so much, they ought not to ask for more. My principle, however, is directly the reverse. It is natural that men in a state of servitude should wish to recover their rights; that they should desire to assimilate their rights with those of their fellow citizens. It is their ambition to be no longer slaves, but to become men. They ask this; and until they obtain all they want, they have comparatively gained nothing. It would be to shut your eyes to all the evidence of history,

to suppose that you could impose upon men an obligation not to look forward to the complete acquirement of their rights; from the moment they begin to enjoy any of them, they must aspire to be on a parity with the rest of their fellow citizens. The better argument is, that having already conceded so much, what remains is nothing to you to give. Nothing can be more absurd than the conduct which is adopted towards the Roman catholics. You admit the lower orders into the army and navy, and you prevent the higher from rising to that rank they might expect to attain. You put arms into the hands of men, who, if the French were to land, might be, from their want of knowledge, influenced to do you mischief; and yet you will not trust Lord Fingal, or his brother, with a command. You rely, it appears, with confidence, on the loyalty of the ignorant and the prejudiced, and you intrust them with arms. Of which class of Roman catholics are you afraid; the higher, or the lower? You do not trust those whose property gives them an interest in the country, and whose superior knowledge and information teach them to prefer the government of their country to every other; but you rely on the ignorant and uninformed. You place in the hands of the latter the means of insurrection, and you take from the former the power they would have, by their influence, to repress commotions. But though you have little to give, what they have to ask is to them immense. You have left them much power to do you mischief, and have afforded them little means of doing you good. Though they require only qualification for corporations, parliament, and offices under government, the object is of great magnitude to them. It is founded on the great principle of requiring to be placed on a footing of equality with their fellow subjects. Equality of rights is one of the principles which is dearest to the human heart, and it is one which the laws of Great Britain, to their immortal honour, sanction. In whatever country that principle prevails, it produces the greatest of blessings. That country is truly happy, where, in the language of a great modern poet,

"Though poor the peasant's hut, his feasts though small,
He sees his little lot the lot of all;
Sees no contiguous palace rear its head,
To shame the meanness of his humble shed."

If a people are placed in a state of humility and degradation, can it be said, that to get out of that situation is to them nothing? But the confusion which prevails on this occasion has arisen from mixing politics and religion, two things which it has always been the wish of the wisest philosophers and

statesmen to keep distinct and separate. It is with great concern I have heard, that some eminent members of the established church are hostile to the proposition I have to make; but I have some consolation in reflecting, that I have with me a person who enjoys as high a reputation as any member of the church; and for whose character I have the highest veneration and respect — I mean, Dr. Paley. He observes, "it has indeed been asserted, that discordancy of religions, even supposing each religion to be free from any errors that affect the safety or the conduct of government, is enough to render men unfit to act together in public stations. But upon what argument, or upon what experience, is this assertion founded? I perceive no reason why men of different religious persuasions may not sit upon the same bench, deliberate in the same council, or fight in the same ranks, as well as men of various or opposite opinions upon any controverted topic of natural philosophy, history, or ethics." Dr. Paley considers restraints only justifiable on account of political opinions, which may affect the safety of government. In endeavouring to state the case of exclusion, he says — "After all, it may be asked, why should not the legislator direct his test against the political principles themselves, which he wishes to exclude, rather than encounter them through the medium of religious tenets, the only crime and the only danger of which consist in their presumed alliance with the former? Why, for example, should a man be required to renounce transubstantiation before he be admitted to an office in the state, when it might seem to be sufficient that he abjure the pretender? There are but two answers that can be given to the objection which this question contains: first, that it is not opinions which the laws fear so much as inclinations, and that political inclinations are not so easily detected by the affirmation or denial of any abstract proposition in politics, as by the discovery of the religious creed with which they are wont to be united: secondly, that when men renounce their religion they commonly quit all connexion with the members of the church which they have left, that church no longer expecting assistance or friendship from them; whereas particular persons might insinuate themselves into offices of trust and authority, by subscribing political assertions, and yet retain their predilection for the interests of the religious sect to which they continued to belong. By which means government would sometimes find, though it could not accuse the individual, whom it had received into its service, of disaffection to the civil establishment, yet that, through him, it had communicated the aid and influence of a powerful station to a party

who were hostile to the constitution. These answers, however, we propose rather than defend. The measure certainly cannot be defended at all, except where the suspected union between certain obnoxious principles in politics, and certain tenets in religion, is nearly universal; in which case it makes little difference to the subscriber whether the test be religious or political; and the state is somewhat better secured by the one than the other." I shall only take up the time of the House a few moments in reading another passage, in which it is clearly stated, that restrictions should not be continued after the circumstances in which they have originated have ceased. "Thus, if the members of the Romish church for the most part adhere to the interests, or maintain the right, of a foreign pretender to the crown of these kingdoms, and if there be no way of distinguishing those who do from those who do not retain such dangerous prejudices, government is well warranted in fencing out the whole sect from situations of trust and power. But even in this example it is not to popery that the laws object, but to popery as the mark of jacobitism; an equivocal, indeed, and fallacious mark, but the best, and perhaps the only one that can be devised. But then it should be remembered, that as the connexion between popery and jacobitism, which is the sole cause of suspicion, and the sole justification of those severe and jealous laws which have been enacted against the professors of that religion, was accidental in its origin, so probably it will be temporary in its duration; and that these restrictions ought not to continue one day longer than some visible danger renders them necessary to the preservation of public tranquillity." Whatever, then, may be the opinions of certain members of the establishment, I am happy to have the opportunity of quoting one authority, which all who love profound learning, exalted virtue, and sound morals, must respect.

With regard to the time when these restrictions ought to have been removed, if there could be one time more proper than another, it was when the union was carried. To that measure I certainly was hostile, and I have seen nothing since which could induce me to alter my opinion; but whether that opinion be right or wrong, is nothing to my present argument. The period at which the introduction of this measure would have been most proper, doubtless, was the moment when the expectations of the Roman catholics were raised, when hopes were held out to them, or when they themselves at least conceived that the hour of their emancipation was arrived, and that they were to be placed on an equal footing with their fellow citizens. It has been said,

however, that on this subject an argument may be drawn from practice which is sufficient to silence all reasoning. No one is a greater friend to the opposition of practice to theory than I am, when that opposition is justly applied. In the present case it is observed, that when the severe laws existed against the Roman catholics in Ireland, all was tranquillity, even during the rebellions of the years 1715 and 1745; but that, after the concessions had been granted, the rebellion of 1798 broke out, in which the Roman catholics joined for the purpose of subverting the monarchy and the constitution. If this argument were true, it would go only to this; that restrictions are good for keeping mankind in a state of tranquillity; and, therefore, you ought never to release them from severe laws, never restore them to their rights. This argument goes against every principle of liberty, and is only calculated to support the cruellest tyranny and most degrading slavery. Its present object is to deprive of their rights one-fourth of his majesty's subjects, and to place them in a state which must greatly embarrass the power and resources of the empire. Surely if there be a malady in our situation, this is it. But were there no circumstances besides the concessions, which rendered the situation of the Irish catholics very different in the year 1798, from what that situation was in the reign of George II.? Is it supposed that the operation of the French Revolution had no influence on their minds, as well as on the minds of men in other parts of Europe? The circumstances of that Revolution may fairly be allowed to have tended to make them swerve from their allegiance, not as catholics, but as subjects. Is there not also some allowance to be made for the connexion formed between the Roman catholics and the protestants of the north of Ireland, a people of enlightened minds, powerful from their talents and their industry? But the people of that part of Ireland, who are well known not to be much attached to the established church, considered the catholics to be like themselves, persecuted. The year 1798 opened new views, and to the union which was then formed between the protestants and the catholics ought the activity of the latter in the rebellion to be in some degree ascribed. There is also another little circumstance which ought not to be passed over, when it is attempted to be argued that nothing intervened between the concessions in the year 1793 and the rebellion. Did nothing happen during Lord Fitzwilliam's administration? Did that noble lord not conceive that he was acting the best for the peace of Ireland, by holding out to the catholics the hope of what they called their emancipation? Doubts have been entertained whether he was authorized by government

to encourage such hopes: but that has nothing to do with the present question; that the expectation did exist, is a fact of the greatest importance. When that noble lord was recalled, when a motion was made on the subject in parliament, and negatived, the Roman catholics saw with grief the cup they had looked at with so much eagerness suddenly dashed from their lips, at the moment they at last expected to enjoy it. Would not any man say, that if he were a catholic, this would have been to him, a great cause of despondency? The history of the country showed the melancholy consequences of that disappointment; for it was not until after the recall of Lord Fitzwilliam, that a connexion began to be formed between Ireland and France: and there is every appearance that the disappointment then experienced by the Roman catholics, drove some of them into this connexion.

We have been told, that it appears from certain inquiries made by the Irish parliament, that catholic emancipation and reform were not considered by the people in some parts of Ireland as of more value than a bit of paper or a drop of ink. I believe this may be the fact; but was it not also stated by the same persons, that, had these measures been granted, they were aware that they must have given up all hope of doing what they call good, but which we call mischief? All those who wished to revolutionize Ireland were greatly alarmed during Lord Fitzwilliam's administration, and were perfectly convinced, that, if the measures to be proposed were carried, their intentions would be completely defeated. I have been told, that at the time of the union no distinct promise of redress was made to the Roman catholics, and I believe it. No minister could promise that which depended upon the determination of parliament. The right honourable gentleman opposite to me could have done nothing more than promise to recommend their claims: but did not the catholics believe that through the measure of the union they would obtain complete redress? Did they not rely on the promised support of the right honourable gentleman? It was on that ground they gave all their weight to the proposition of the union; and I know some who have felt less kindness to the catholics on that account. The persuasion was certainly general, that the catholic claims would be fully granted after the union, and a learned gentleman, (Dr. Duigenan,) now hostile to these claims, appears to have promoted this persuasion. In a letter written by that learned gentleman to an honourable friend of mine, whom I am happy to see a member of this House, (Mr. Grattan,) there is a paragraph to this purport; "if we were one people with the British

nation, the preponderance of the protestant interest in the whole state would then be so great, that it would not be any longer necessary to curb the Roman catholics by any restraints whatever." Now, when the Roman catholics found the opinion stated by the learned gentleman, who had been through the whole of his life against granting them redress, must they not have expected that the passing of the union was to be the signal for the redress of their grievances? In a printed speech, too, (printed in a way which might entitle it to be referred to as some authority,) of a noble lord who once filled the chair of this House, (Lord Sidmouth,) this passage of the learned gentleman's letter is referred to in support of the opinion, that no restraints would be necessary after the union. If, then, that noble lord drew this inference, what conclusion was it to be expected the Roman catholics themselves should form? At that time, then, it appeared to be thought that the repeal of these laws would be a measure of safety to the British empire; and yet they remain in the same situation. I state not this as any reproach to the right honourable gentleman opposite to me; but what must the catholics think, when they find that those who most favoured the union, and who, on account of the measures then in contemplation, held up that event as eminently calculated to promote the well-being and security of the British empire, opposed their hopes? What the circumstances were, which prevented this question being then brought forward, I shall not attempt to discuss, because I do not pretend to know them; but I must observe, that its delay might have led to the very worst consequences. The catholics, however, have shown by their conduct that they are guided by principles which merit the highest encomium. Their disappointment has not made them resort to popular clamour or tumult. They have brought forward their claims in the most constitutional manner, and they rely with confidence and respect on the justice of this House. The presenting of the present petition is a pledge of the propriety of their conduct; and though my motion should not this night be acceded to, they will still have gained something, by having an opportunity afforded them of stating their opinions. A great and respectable part of the people of the empire are now in favour of their claims. The people of England will soon be completely convinced of the propriety of granting them all they demand; and antiquated prejudices, which it is my lot to expose in 1805, and which were doubtful in 1669, will be completely done away.

Hitherto I have said nothing of a kind of mysterious objection which has been lately started. I have been asked—"Why do you bring on this question when success is im-

possible?" Another tells me, "I like the measure as well as you; but why press it when there is no chance of success?" Why, I know of no circumstance that should render it impossible to carry this question in this House; and there would at least be a little better chance of success, if all those gentlemen who are in favour of the measure would favour us with their votes. I have been told that the repeal of these laws is conceived to be contrary to his majesty's coronation oath. Now, Sir, were I to propose any thing which would be a violation of his majesty's coronation oath, I should not only think myself a disloyal subject, but a dishonest man. But how absurd would it be to suppose that parliament, who made that oath for the king to take, should understand it to bind him to refuse his assent to future acts which they might present to him! The oath, as framed by parliament, was administered to King William, and statutes now proposed to be repealed were passed after he had taken the oath. Now, if it could be maintained that the oath has any reference at all to legislative measures, still I would ask, how can it affect acts passed after it was framed? Such a doctrine appears to me calculated to produce the greatest confusion, and completely to overturn the constitution. If it were true, the government of this country would no longer be a mixed monarchy, but we should be in a mixed state of anarchy and confusion. But it is supposed that the coronation oath would be violated, because the effect of the measure now proposed would, it is said, be to overturn the church establishment of this country. These laws were, however, made against dissenters of all descriptions; and yet the church was not overturned by our union with the presbyterians of Scotland. Was the coronation oath made to bend in the one case, and not in the other? According to this new doctrine, Queen Anne must have broken her coronation oath when she consented to the union with Scotland, and his present majesty must already have violated his coronation oath more than once, when he sanctioned the acts passed in his reign for the relief of the Roman catholics. His majesty did not refuse his assent to these acts; on the contrary, he did what I am sure he always will do; he followed the advice of parliament, exercising at the same time his own judgment. While I glory in the name of an Englishman, I never can say that any thing which parliament thinks fit to be done cannot be done. If it had been the practice that nothing was to be moved in this House, but such questions as gentlemen had a reasonable hope of carrying, the country would have been deprived of most of the laws which now constitute its greatest pride and boast; for the best measures have in general been at first strongly resisted,

and have been rendered ultimately successful, by the perseverance of those who introduced them, and the good sense of parliament. But I never can believe that any branch of our constitution will forget its duty; and I am sorry that the report of an opinion having been given on this subject, should be circulated — said to be given, too, by one who has a legislative voice, but who has no right to pronounce any opinion on matters pending in this House. His majesty's lawful authority is one of the corner stones of the constitution; but while I shall always exert myself to support that lawful authority, I cannot be silent when I see interested persons endeavouring to extend that influence beyond its due bounds. It would be a great and incalculable evil, were it to be established as a maxim in this House, that no person must move any measure, however great its benefits might be, if it were once whispered about, that it could not be successful, because another branch of the constitution was hostile to it. I could wish to see any sacrifice made for the gratification of the crown, except the sacrifice of the welfare and security of the country. The man who countenances such a sacrifice is not a loyal subject; is not one who loves his king, but one who flatters him in order to betray him.'

Having now troubled the House at so much length, I shall only briefly state a few of the minor points which the subject presents. There may be some persons who would not wish to repeal the whole of the restraints upon the Roman catholics, but who would wish to do away a part: I must therefore expect, that all who view the question in this way will concur with me in voting to refer the petition to a committee, in order to discover what part of the laws it may be fit to repeal. Among these minor points will also fall to be considered the situation of the army. A catholic may serve in the king's army in Ireland: he may arrive to the rank of a general, but not a general on the staff. If, however, he comes to England, he is liable to pains and penalties on account of his religion. Surely those who would resist the question in the whole, must at least allow that this is a case in which some relief ought to be given. I am also assured that the common soldiers are restrained from the exercise of their religion sometimes in Ireland; but almost always in England. Some alteration is also necessary in the law of marriage. I mention these circumstances as forming parts of the question which ought to induce such persons as think them worthy of redress, to go into a committee, whatever their objections to the general question may be. I have stated, that the disabilities under which the catholics suffer are of two sorts; namely, those which consist of restrictions on the king's prerogative,

and those which restrain the choice of the people. I think that Roman catholics ought, like all the other subjects of his majesty, to be enabled to hold places under the crown, and to sit in parliament; but I understand there are some who would consent to a proposition for rendering them accessible to offices, who would not agree to give them seats in parliament. Those who entertain this opinion, surely cannot refuse to go into the committee. I understand there are others who, on the contrary, think it advisable that Roman catholics should be excluded from offices in the executive part of government; but that, on the ground of virtual representation, which I have stated, they ought to be admitted to seats in the House of Commons. I own that I think this opinion the most rational of the two; and surely those who entertain it cannot object to the motion I am about to make.

I have now stated most of the general grounds on which I think the repeal of the laws complained of, advisable; and I shall now very briefly mention a few of the advantages which may be expected to result from such a measure. A great proportion of the last and of the present session has been consumed in considering of the best means of recruiting the army, and of increasing our local and disposable force. Now, without disparaging the modes recommended by my right honourable friend (Mr. Windham) on this bench, or the right honourable gentleman opposite, for attaining this desirable object, I will venture to say, that no scheme whatever of parish recruiting, limited service, or militia volunteering, can equal the effect of this measure. All these schemes are tardy and trifling, compared to the prompt and large supply which would be afforded by Ireland, were the laws against the Roman catholics repealed. You now receive into your army Irish Roman catholics; but what might not be expected from the zeal and gratitude of a nation famed for warmth of temper and generosity, fondly exulting in a triumph obtained over illiberality and prejudice? All your other supplies would be little rivulets compared to this great ocean of military resource. But you are not merely to consider the number, but also the nature of the circumstances under which you would obtain the recruits. Look at the situation of France, our formidable enemy; is she formidable for her finances, her naval power, her commerce, or any other resource except her population? It is from the disproportion of our population to hers, that we can have any thing to apprehend. We are weak only in our population. Why, then, do we hesitate to adopt a measure which would afford us so powerful a reinforcement? In this age foreign conquests have been less valued than they were in former times; but if conquests deserved to be ever so much

esteemed, what conquest could equal either the true glory or solid advantage of re-acquiring one-fourth of your population? What prospect can be more consolatory than that of thus adding to your strength that which cannot now be called a part of your strength, but may rather be named a part of your weakness? The protestant ascendancy has been compared to a garrison in Ireland. It is not in our power to add to the strength of this garrison, but I would convert the besiegers themselves into the garrison. How can you suppose that these four millions of men should feel themselves in the situation of the other twelve millions, which form the population of the British empire? They know that they furnish you with recruits, from whom you may with reluctance choose serjeants: they send you officers, but they know they can never rise to the rank of generals. They supply you with sailors, who never can advance to any eminence in their profession. How different would our policy be, how different our situation in a military point of view, were the means I propose adopted! There would be no differences, no discontents; but all the subjects of the empire, enjoying equal rights, would join with one heart and one mind in its defence. I am sanguine in believing, that these equal rights and laws will be granted to the Roman catholics. I am even sanguine enough to believe, that many bad consequences which might be expected to result from a refusal of them, will not follow the rejection of this petition. I rely on the affection and loyalty of the Roman catholics of Ireland; but I would not press them too far, I would not draw the cord too tight. It is surely too much to expect that they will always fight for a constitution in the benefits of which they are not permitted to participate. No permanent advantage can arise from any measure, except that which shall restore them to the full enjoyment of equal rights with their fellow citizens. In the present situation of Europe, and when the designs of the enemy are considered, Ireland is a place where the active exertions of this country may be required; and this is one of the grounds on which I am anxious that the motion I am about to propose should be acceded to. Whatever may be the fate of the question, I am happy in having had this opportunity of bringing it under the consideration of the House; and I shall detain you no longer, but to move, "That the petition be referred to the consideration of a committee of the whole House."

The motion gave rise to a debate which lasted two days. It was principally supported by Mr. Grattan, Dr. Laurence, Mr. William Smith, Mr. Ponsonby, Mr. Windham, Sir John Newport, Mr. Maurice Fitzgerald, Mr. Dillon, Mr. John Latouche,

Hutchinson, and Mr. Hawthorne; and opposed by Dr. Duigenan, Sir G. Hill, Mr. Perceval, Sir W. Scott, Mr. H. Addington, Mr. Foster, and Mr. Pitt.

At five in the morning, the House divided on Mr. Fox's motion.

	Tellers.			*Tellers.*	
YEAS	Earl Temple Mr. Dillon	124.	NOES	Attorney-General Sir G. Hill.	336.

MR. GREY'S MOTION ON THE STATE OF PUBLIC AFFAIRS.

June 20.

THIS day Mr. Grey moved, "That an humble address be presented to his majesty, praying that he will be graciously pleased not to prorogue his parliament until he shall have been enabled to afford to this House more full information with respect both to his majesty's relations with foreign powers, and to his views and prospects in the contest in which his majesty is engaged." After the motion had been opposed by Lord Castlereagh and Mr. Canning, and supported by Mr. Windham and Earl Temple,

Mr. Fox said, he could not reconcile it to his feelings to give a silent vote upon a question so intimately connected as the present with the rights and privileges of parliament, and the policy of the country; he should, however, endeavour to bring what he had to submit to the House, within as short a compass as possible. The first point, he observed, was, that by the three last loans this country had added to the capital of its debt not less than eighty millions of money. This was a matter of grave consideration, considering the former burthens of the country to which this was an addition, notwithstanding the progress of the consolidated fund, and the salutary system of raising war taxes, and providing for so large a portion of our expenditure within the year. With regard to the army of this country, he should touch upon it slightly, because that subject was soon to be discussed at large by an honourable friend of his, who was well qualified for that undertaking (Colonel Craufurd); and if that honourable gentleman had been thought sanguine as to his plan in that object, yet it must be allowed that the right honourable gentleman opposite to him (Mr. Pitt) was also sanguine in his plan, for he had made it one of the great foundations of his attack on the late administration, with part of which he afterwards joined, that they had not sufficiently provided for the permanent

establishment of the army, and he had brought in a bill to supply that defect: that bill had been tried, and, without being very sanguine as to the effect of the plan of his honourable friend, he might venture to predict, that if it should be tried, it would be as efficient as the bill of the right honourable gentleman for the permanent increase of our military force; indeed, the bill of the right honourable gentleman, coming from a person so extraordinary in talents, reminded him of what was said by Dr. Johnson of the poem of Ossian. Being asked, from what man upon earth but its author, could it be expected? Did he know any other man upon earth capable of writing such a poem? "O yes," said the doctor, "many men, many women, and many children!" He believed this to be the true description of the bill of the right honourable gentleman for the permanent improvement of the army.

Upon the subject of Ireland, the noble lord (Castlereagh) had agreed to much of what had been stated by his honourable friend in the opening of this debate, and he agreed also with them both, that the state of Ireland was good in some respects; but when he used the word good, he used it in the sense to express the idea that Ireland was considerably amended from the condition it had been in: and here he must bear an honest tribute to the merit of Lord Hardwicke, to whom much of the improvement of the condition of the people of that country was owing. This he should have no difficulty in saying, although there were points in the conduct of that noble lord, as lord-lieutenant of Ireland, towards a relation of his (General Fox) while there, which met his disapprobation. However, he could not help lamenting that Lord Hardwicke, as he understood from pretty well grounded rumour, was not supported by that cordiality and union, in the administration of that country, which was essential to carry into effect any of the best plans of any government. He understood that some part of the system of that noble lord was opposed by another noble person, who had distinguished himself by his opposition to the catholics (Lord Redesdale): much good was not to be expected from any government where perfect harmony did not subsist among all its members. He had had the honour to present to the House a petition on behalf of the catholics of that country, the prayer of which had been rejected by a large majority. He wished to know, whether any thing short of that prayer was intended to be granted to that body of persons, containing almost all the population of that country? He had no hesitation in saying, that it behoved government to do all that could be done short of granting the prayer of that petition. He wished the prayer to be granted altogether; but, after the sense of parliament had been so fully

expressed, he could not expect government to have the same view of the subject. It was not for him who thought the prayer ought to be granted, to point out what other mode should be adopted; but it behoved those who opposed that prayer to look into the case, and devise the best remedy that appeared to them to be applicable to it, for it was not to be expected that the people of that country would be content with every thing remaining exactly in its present condition. He recommended this subject to the most serious attention of government.

He now came to the business of the king's message, and to that which was connected with the speech from the throne, to which he wished the House particularly to attend. The king by that speech told parliament that he had received an offer of negociation from the French government; that, situated as his majesty was, he thought proper to say, that he was engaged in confidential intercourse with a certain great power, meaning the Emperor of Russia; that he thought it right to apprise that monarch of the overtures which had been made by France to his majesty, and that he must consult with him before he could return any answer to France. Now, he would ask, what was the meaning of that communication? He was not now delivering an opinion what the answer of his majesty ought to be. It was natural enough that his majesty should not make any answer to France until he had consulted with the Emperor of Russia, possibly until he had agreed upon a treaty with that monarch; but then it was not so likely a way to negociate with effect for peace, if his majesty had to say to the enemy, "Stay until I can see whether I shall be able to enter into a treaty with another power, for the purpose of our carrying on the war jointly against you." Now, if his majesty's answer to the overture of France for peace was capable of two constructions, it was not wonderful if this was the construction the French put upon it. The question then was, when that period was to come when the House of Commons was to have information upon that subject? When so proper to ask it as when the application was made by the crown for money to carry on the plan, whatever it may be, which refers to that very subject? The great and fundamental principle of our constitution was, that the House should demand all necessary explanation of the executive government in these important public concerns, and no time was so proper, because none was likely to be so effectual, as when they were voting money to support the system of government; this was the time when the advice of the House of Commons to the throne was most seasonable, and likely to be most respected. This was one of the

right uses which the House had to make of its power over the public purse, and ministers should, when they came for money, explain this matter to the House. And here he must remind the House, that the right honourable gentleman, when this subject was mentioned at the opening of the budget, and the sum of five millions was reserved for the probable use of subsidies, candidly stated, that no member of the House was to be understood to have pledged himself to any opinion whatever, not even to the length of granting the money, or any part of it, unless he should approve of the proposed application. The House of Commons did not point out any thing concerning the pecuniary arrangement of this matter; and the right honourable gentleman had then hopes of being able to give the House some information upon this subject in the course of the present session. He should now ask the right honourable gentleman when he could make the communication? If he could not answer now, the next point was, since the answer cannot be made at the present period of the session, let the session be made to continue until the answer comes; since the answer cannot be made to accommodate the session, let the session be made to accommodate the answer. He was sure the right honourable gentleman would give the House the information if it was in his power; if he could not do so now, he should allow the House to sit until he could. But this mode of asking the minister to continue parliament together until he could give it some information, was holding forth to the public that government was entitled to a mark of want of confidence in the House! Want of confidence was the constitutional character of that House. It was a mark it ought to set upon every minister of the crown, it was a mark he was entitled to *ex officio*, and more especially under the present circumstances; for here was to be a large sum of money, perhaps five millions, to be proposed to be voted, without any information as to its probable application. There was a distinction between the present case and the former vote of credit of three millions. At the time of that vote we were at war; so we are now, but then we were engaged in a continental war, and it was then expressed what the money on the vote of credit was to be applied to — that of carrying on a continental war, a war frequently discussed and approved of by the House; but now the House did not know what this money was for, nor could the House have any guess what it was for. The House knew nothing but what was to be collected from the king's speech at the opening of the session, and the message of yesterday; but the message was not clearer than the speech, and perhaps it could not at present be clearer; but then the remedy for

that was for parliament to remain together until information came. But it was asked, where the difference was between prorogation, when parliament might assemble in fourteen days, and an adjournment for that time? The difference was, that one of these matters was in the power of the minister, the other in the power of the House of Commons; which reminded him of a scene in an excellent comedy, wherein the father takes out a bond, and the son says, "Let me hold it in my hand." The father says, "What signifies it which of us should hold it — neither of us shall hold it." And then he puts it in his pocket. So it was in this case. The minister asked, what difference there was between an adjournment and a prorogation? The difference was, that he had the bond in his pocket, if there was a prorogation. He then took notice of the power of parliament to refuse to confirm the engagement of his majesty, in the event of its disapproving of the terms of such engagement, for the purpose of shewing how much right the House had to demand explanation before it assented to the granting a vote for a large sum of money; and he apprehended that the government of foreign powers was not so destitute of information of the nature of our constitution, as not to be fully aware that all the engagements of our government were subject to the approbation or rejection of parliament; and therefore the argument, that this motion, if agreed to, would diminish the respect of foreign powers for our executive government, had no force in it.

Mr. Fox then proceeded to observe on the want of confidence in his majesty's ministers particularly. The right honourable gentleman could not expect him to have much confidence in him. He certainly had no particular confidence in the right honourable gentleman, but he had no difficulty in saying, that his want of confidence did not arise from personal considerations, but from his public character as to the situation in which he stood; — the situation in which he stood with reference to the principle on which the present ministry were formed; for the right honourable gentleman was sometimes supported by those with whom he could not agree before his administration was formed, and with whom he could scarcely agree now. It was a system of disputes, forced resignations, and rapid reconciliations; but they now adhered together from a principle which was a very strong one, although it had no cordiality whatever in it, namely, that one party could not remain without the adherence of the other; but when he saw no other principle of cohesion among these persons, he must be allowed to observe, that such an administration was not entitled to any peculiar

confidence; and without speaking with disrespect of those who composed the present administration, he might fairly say, that, independent of the splendid talents of the right honourable gentleman himself, there was nothing in the present administration to entitle them to any peculiar confidence, and the House ought to take care not to give too much confidence to them. He was the more confirmed in the necessity of this caution from what had appeared in the course of this session, by which he was convinced it was morally impossible for the present administration to expect any extraordinary share of confidence. Who, said, Mr. Fox, can expect, that we should give extraordinary confidence, or that foreign nations should give any confidence at all, to such an administration as the present? I am, perhaps, less sanguine than others, with respect to the good that could be done by the best administration; but I feel myself sure, that an administration formed to comprehend all that is respectable for rank, talents, character, and influence in the country, affords the only chance of safety; and I trust, that nobody can suppose that any individual, (however he may disapprove, as I certainly do, the unconstitutional principle of exclusion,) would suffer any personal object of ambition, if ambition he had, to stand in the way of the formation of such a ministry. If the present executive government did not feel this truth, it was time that the people told them of it. What might be the effect of such a combination he knew not, but this he knew, that without it there was no chance of this country weathering the storm, and encountering its perils. By this he did not mean that the country would be annihilated, but that the prosperity of it would be at an end.

Mr. Fox then proceeded to observe on the conduct of government with regard to Russia, and thought ministers ought to have put a short question to that court, whether they would consent to our treating with France, or whether they thought we should refuse altogether? And if Russia refused to answer that question, with all his partiality for Russia, the negociation would not have been worth having without that explicit answer. He then entered into our general policy. He preferred the alliance of Russia to that of any other power; but confessed he saw no prospect of a speedy termination of our contest by that alliance alone, without the assistance of other powers. He disapproved of the conduct of France in the late war as well as in the present, but he disapproved, if possible, still more of any government pursuing under the title of indemnities a system of partition of states, making some republics, some monarchies, and annihilating the political existence of others, without regard to moral rectitude or to

the common feelings of mankind, which considerations had more influence on the affairs of the world than some politicians were aware. The partition of Poland, the seizure of Holland, the subjugation of Switzerland, and the division of states, by the agreement of some, and by the fraud and rapacity of others, had done more to destroy the confidence of mankind in each other, than all the other misconduct of the powers put together. In private society, when men lost their confidence in one another, the compact was dissolved. The same rule applied to states, for they were only aggregates of individuals. He recommended to all the powers of Europe a system of justice and moderation, as the only means of putting an end to the evils under which we labour. He recommended a general congress, and that these principles should be prevalent in its deliberations. He knew he excited a smile when he recommended these notions, because they were thought chimerical; but those who thought so had found their own system had failed, and they had never tried his. Having dwelt on these and other kindred topics for some time, he concluded with giving his hearty concurrence to the motion of his honourable friend.

Mr. Fox was replied to by Mr. Pitt; after which the House divided on Mr. Grey's motion:

	Tellers.		*Tellers.*	
YEAS	Mr. Calcraft, Mr. W. Smith	110.—NOES	Secretary at War, Mr. Huskisson	261.

CONTINENTAL ALLIANCES.

June 21.

MR. Pitt having this day moved, "That a sum, not exceeding 3,500,000*l.* be granted to his majesty to enable his majesty to enter into such engagements, and to take such measures as the exigency of affairs may require,"

Mr. Fox observed, that after what had passed in the course of the preceding debate, both the right honourable gentleman and the public would expect that he should give a direct negative to this vote. The right honourable gentleman had said that it was not necessary for him to enter into any further explanation on the subject now. He had said the preceding night that it was impossible, and if he still adhered to the same declaration it would be equally valid now as then. This

circumstance he adverted to only to shew that the necessity of explanation had not been superseded by any communication to the House. When a minister came to that House for a vote of money, for purposes which he left them to the wildest flights of imagination to conjecture, and said, that it was his duty not to give information, he should reply, that it was his duty to give no money. No one would deny, that it was desirable that we should have as extensive co-operation as possible, but the House had not expressed an opinion on that subject. After what had passed, it was a matter of less delicacy to express an opinion on hypothesis, as to the purpose for which the vote was called for; whether on the hypothesis that it was to enable us to make terms of peace, or on the hypothesis that it was to engage the powers of the continent to co-operate with us in the war. On this head he should state briefly his sentiments. It seemed to be the prevailing opinion, that to engage with Russia alone would make our situation more difficult than at present, unless Prussia or Austria could be included in the confederacy: of the first of these powers co-operating there was less hope, of the latter more, though he thought fear a more proper term than hope in the latter case. Without a sure prospect of efficient co-operation, he should feel most unhappy if he were to suffer this vote to pass without entering his protest against it, without warning this country and Europe against the consequences. No man could tell what would be the issue of war; but when they looked to the past, he asked, with what rational hope such a war as the late one could be begun, and with what rational ground of success? Was it intended that, at the present period of the year, when Austria was unprepared, any operations should be undertaken, or only that every thing should be prepared to begin the war in the next campaign? If Austria were to move, and the consequence should be, what was not improbable, productive of serious disasters, what would become of our hopes of continental connections? what of the liberties of Europe? what of the prospect of setting limits to the power of France, justly and rationally considered already too formidable? Under such circumstances, and on such information, it became wise men to consider well before they should grant any money where the chances were a hundred to one against success.

But it was the manner in which the matter was proposed that weighed with him. If we had remained at peace, as he wished we had, and Austria, Russia, or Prussia, had applied to us for assistance in their quarrel, no man would be more ready than himself to agree to grant it. But when we had dashed singly into the war, and, as had been argued the pre-

ceding night, for the purpose of rousing the powers of Europe by our example, which we could only exhibit in the case of invasion, that put the question on a different footing. He disliked the phrase "to rouse Europe," because the attempt to do so had the effect of producing a disinclination to co-operate with us. Every man knew that the character of the British government in Europe was, that it was actuated by selfish motives in instigating the powers of the continent to war for British interests. He hoped that this opinion was false; but if we should attempt to instigate the powers of the continent to a renewal of hostilities, whilst they wished to remain at peace, whether for the purpose of regaining strength or recruiting their resources, or for whatever other reason, it would alienate the affections of Europe more from us than any inefficiency that could take place in the conduct of the war. If Austria alone were to embark with us in the war, she could not use her exertions with advantage to herself or to us. The interests of both would be identified, could not be separated, and consequently neither could enjoy the full benefit of her exertions. This was a ground for thinking that the result could not be favourable. Austria would be driven to the alternative of concluding a treaty under the same circumstances which obliged her to conclude the treaty of Leoben and Luneville, and to submit to such terms as France should dictate; for it was contrary to all experience and history to suppose, as had been argued, that being engaged to Russia and England, she would be bound to hold out to the last. No country could be obliged by any treaty to hold out to its destruction, and lie down under its ruin. There was another alternative which Austria might adopt, which was, to hold out to the end; and might not that conduct endanger the total extinction of the second power in Europe? If she chose, as he thought she would, the former alternative, we should then be driven, after all our efforts and expence, either to make a separate peace, or to carry on a defensive war. He hoped we should not be reduced to that alternative, and would not discuss what should be our conduct in such a case. It would be highly indiscreet in us to form an alliance for the purpose of a continental war with Russia and Austria, and it would be still more indiscreet in Austria, for Russia and Great Britain would be in a far different situation from that of their ally. If such an alliance could be formed with Russia, Austria, Prussia, and the other powers of the continent, as would gain their good will, without attempting to rouse them before their own interests, in their own view of them, would call for their exertions, such an alliance would afford hopes that we might obtain reasonable terms of peace.

His reason for not voting for the sum proposed was, because no answer had been returned to the propositions of the French government. Time enough had elapsed for obtaining the consent of Russia; and the effect of withholding explanation from the House on the subject must be, that they would not place any confidence in his majesty's ministers. Was any reputation gained by not returning an answer? Were they not, until some explanation should be given, in the odious situation of having left a pacific proposition six months unanswered? But it had been said, that a few days after the proposition, a message had been sent to the French council in terms not very complimentary to the British government. Certainly we should not be the foremost to notice such expressions, for even the message under consideration contained language not very complimentary to the French government. He was ignorant what propositions his majesty's ministers intended to make, but he had no doubt that they ought to be kept secret till they should be made known at a general congress. If it was their intention to propose terms through Russia to France, he took that opportunity of entreating his majesty's ministers, that they might be reasonable. He did not mean that the propositions should be exactly what they would insist upon as their ultimatum, but that the difference between the extremes of what they should at first demand, and what they should afterwards consent to accept, should be as small as may be. If the propositions should be such as Europe should think unreasonable, or as this government, if in the place of the French government, would think unreasonable, to be accepted; if they should be such only as were to form the grounds of a manifesto on the part of powers previously determined on war, though you should engage the continent in a new war, you would alienate the disposition of Europe from you, more than if no terms should be proposed at all. He spoke thus generally, because totally in the dark on the subject, and guided only by conjecture. Whatever we might say of our disinterestedness, whatever of our moderation and forbearance, Europe had a different opinion, which might possibly be wrong; but we had a character to gain or retrieve on the occasion. Let the answer to be returned contain propositions reasonable in the extreme, if such a contradiction of terms could be used; the effect would be, that they might be accepted, and that would be the only mischief that could result from proposing them. We should then make a separate peace, and could any man contend that there was comparatively any great difference as to the object, whether a peace was to be concluded by Great Britain and Russia, or upon

terms that would be approved of by all Europe, and which all the powers of Europe would possibly guarantee? But if the terms should not be accepted, as some gentlemen were disposed to think that there was no inclination in the French government, though for himself he had some doubts of it, whilst the leaning of his mind was the other way, this would strengthen the argument of those who urged the necessity of rousing Europe. The more reasonable the terms that should be rejected, the greater would be the indignation of Europe at their rejection. He could not help thinking that Europe had been, through peace and war, against us and with France. France had now given us an opportunity to conciliate all the world, and we should manage it. It was not enough that the indignation of Europe was excited, we should persuade the continent that we had reason on our side, and that the injustice was on the part of France. He was glad of this opportunity of stating his opinion on the general question. As to the particular subject now under discussion, he had nothing to add to what he had stated at the outset, that he could not agree to it. If it was a vote of credit, that would not be novel. When last war a subsidiary treaty had been arranged with Russia, a sum of money had been voted, but then the House knew for what object. In the present case they were told nothing. They did not know whether it was intended for Austria or Russia, or for purposes of enabling us to procure terms of peace, and they had no security that it would not be applied in the manner the House was most apprehensive of. He should therefore give the vote a decided negative.

FUNERAL HONOURS TO THE MEMORY OF MR. PITT.

January 27. 1806.

ON the 23d of January 1806, died the right honourable William Pitt. On the 27th of the same month Mr. Henry Lascelles moved, "That an humble address be presented to his majesty that his majesty will be graciously pleased to give directions, that the remains of the right honourable William Pitt be interred at the public charge; and that a monument be erected in the collegiate church of St. Peter, Westminster, to the memory of that excellent statesman, with an inscription expressive of the public sense of so great and irreparable a loss; and to assure his majesty that this House will make good the expences attending the same." The motion was seconded by the Marquis of Titchfield, and supported

by Lord Louvaine, Mr. J. H. Browne, Mr. H. Addington, Sir R. Buxton, General Tarleton, Earl Temple, Mr. Ryder, Mr. Rose, Lord Castlereagh, and Mr. Wilberforce. It was opposed by Lord Folkestone, Mr. William Smith, the Marquis of Douglas, Mr. Windham, Mr. Ponsonby, and Mr. Fox.

Mr. Fox rose and spoke as follows: — I do not know, Sir, that I ever rose to address the House in the performance of my public duty with more pain than I do at this moment. I therefore hope that I shall experience some indulgence, if, before I give my vote on this question, I should shortly state the reasons which compel me to oppose the motion now proposed by the honourable gentleman under the gallery. The honourable gentleman says, that all party feelings and political animosities should be laid aside on the present occasion. I assure him, that I do lay aside all party feelings. If I had any such at this time, they would lead me to vote with the honourable gentleman and not against him. At the same time I do not pretend to undervalue party feelings. When a person is convinced that the opinions which he holds, if acted upon, would be productive of benefit to his country, but finds that the only chance of having them acted upon depends upon his connection with a party, and the support which by this means he may acquire, it is his duty to have recourse to a party. He may consider this fairly and justly as the best mode of effectually carrying into execution those measures which, in his estimation, are the most calculated to promote the public prosperity and happiness. But at present it is obvious to every one, that all the motives which are likely to influence me, as far as party is concerned, are on the side of the honourable gentleman, and would lead me to vote with him. The honourable gentleman must see, that if the gratification of party feelings, if ambition, if private interest, were my objects, the most proper course for me to pursue, would be to give an immediate assent to this motion. Upon such a supposition, every one must be sensible how much it would be my interest to conciliate, as much as possible, all those who had the greatest respect and value for Mr. Pitt, to drown, if it could be done, the very remembrance of our political contests, and endeavour to gain, by every means that could be imagined, their support and favour. This would be the line of conduct which party views would suggest, as the most proper to follow. But this is not all: there are other motives of no less weight, that strongly recommend the same mode of proceeding. For many of the supporters of the present motion I have a personal friendship, which would make me reluctant to oppose them on such an

occasion; but, most of all would it be my interest, as well as my inclination, not to cross, in this instance, the views of the noble lord near me (Earl Temple) and other near relations of the deceased minister, with whom I am now likely to be, for the remainder of my life, inseparably connected. The vote, therefore, may be considered as one not given to gratify any feeling of private animosity, or of public ambition, but extorted by a most painful but imperious sense of duty. In every party point of view then, whether my object should be to conciliate those who have the warmest attachment to the memory of Mr. Pitt, or to join with those who are already my political friends, my plan would be to support the honourable gentleman's motion. I will go farther, and say that if feelings were to be allowed to direct our conduct on this occasion, the right honourable gentleman opposite (Mr. Rose) might address to our feelings arguments much more powerful than those which he has just now addressed to our reasons. I, Sir, have been engaged in a long course of opposition to the person for whom public honours are now claimed. I may say that I have been considered, and perhaps it may be called an honour, as his rival. But I do assure the right honourable gentleman and his most zealous admirers, that, during all that time, I never opposed him from a personal motive.

I will go still farther, and say, that another motive would lead me to support the motion, and that is the respect which I entertain for many of Mr. Pitt's personal qualities. Great qualities he certainly had, in no ordinary degree, in private life; and great qualities also in points connected with his administration. I do not think this a proper time to enter upon the particular acts of that administration; but in the measure for the establishment of a real sinking fund, he had always my warmest support, and I freely declare my opinion, that this has done a great deal of good to the nation, and, that for this, therefore, the country is highly obliged to him. There is another quality for which he deserves great praise. No minister was ever more disinterested, as far as related to pecuniary matters. His integrity and moderation, in this respect, are confirmed by the state of his affairs when he died. I allow that a minister is not to be considered as moderate and disinterested, merely because he is poor during his life, or at his death. But when I see a minister, who has been in office above twenty years, with the full command of places and public money, without any peculiar extravagance and waste, except what might be expected from the carelessness that perhaps necessarily arose from the multiplicity of duties, to which the attention of a man, in such a situation, must be directed; when I see a minister, under such circumstances,

using his influence neither to enrich himself, nor those with whom he is, by family ties, more peculiarly connected, it is impossible for me not to conclude that this man is disinterested. I must say, that he has, with regard to private emolument, acted with a high degree of integrity and moderation. In the course of the long administration of Mr. Pitt, all that he took for himself, was, I believe, the wardenship of the Cinque Ports. This was certainly in him highly disinterested; and his disinterestedness in this respect shines with the more lustre, when we consider the mode in which, according to report, this reward has been since disposed of. I, therefore, Sir, have every reason, from my intimate friendship and near connection with the living, and from my own private feelings and respect for the dead, who undoubtedly possessed many estimable qualities, to give my support to the motion now before the House. I might be led to this by another motive. If personal vanity had any weight with me, I might from this consideration concur with the honourable gentleman. I might by this means gain a great deal of applause, without any loss whatever in a party point of view, and I do not pretend to be insensible to praise any more than others. But there are cases, Sir, in which our public duty is so clear and imperious, that no desire of praise, no motive of personal respect, no wish to gratify our friends, nor any other consideration, however powerful, can possibly enable us to dispense with it, and in my conscience, Sir, I believe this to be one of those cases. If the marks of respect were such as did not compromise my public duty in the compliance, no person would join in it more cheerfully and more eagerly than I would. If, for instance, it had been proposed to remedy those pecuniary difficulties which Mr. Pitt had incurred in the course of his political life; if it had been proposed to do those things for his relations in that way, which his own acknowledged disinterestedness did not allow him to do; if it had been proposed to supply the deficiencies of his own fortune, I would most willingly consent that all this should be done in the most liberal manner. But it is a very different thing to be called upon to confer honours upon Mr. Pitt as an "excellent statesman." We ought not, Sir, in such cases, to be complimented out of our consent, if our public duty commands us to oppose the grant of such honours. Public honours are matters of the highest importance, because they must more or less influence posterity. They ought not, therefore, to be conferred lightly, but only where merit is clearly seen and acknowledged. I could farther add, Sir, that the manner in which the honourable gentleman opened this business, would lead me to give his motion my support;

but when public honours are solicited, it becomes me to consult neither my interest nor my feelings, but to adhere rigidly and conscientiously to the line of public duty. I need not add any thing to what has been said respecting honours conferred upon military men and statesmen, by my right honourable friend on the bench near me, (Mr. Windham,) who has so ably and clearly pointed out the distinction between the two cases. As little need I add to what has been said by my honourable friend on my right hand, (Mr. Ponsonby,) respecting many eminent public men, on whom no honours of this kind were conferred, and for whom none were solicited, though their talents, virtues, and good intentions were unquestionable. It is not to particular acts only that we are to look; we must consider the general effect which these acts produce, with a view to the public benefit. Certainly, when I look at Lord Chatham's monument; when I find the inscription bearing upon the face of it the grounds upon which this monument was voted; when I find it there stated, that he had reduced the power of France to a very low ebb, and raised the prosperity of his country to a very high pitch; I must say, that this case can never be compared with that of Lord Chatham. I must say, that the country at present is reduced to the most dangerous and alarming situation — a situation which might call for any thing rather than honours to be conferred upon him, who had the direction of the measures which brought it to this state. The right honourable gentleman (Mr. Rose) has told us, that in the case of Lord Chatham there was the most perfect unanimity, though there were many in the House who had opposed his political principles. Why, so there was; but then, Sir, the merit was clear, and the inscription related to points on which there must have been the most perfect unanimity; and though certainly during the seven years' war there was a strong opposition, yet his merit on certain points, to which the inscription referred, was allowed by the bitterest of his antagonists.

But, though no consideration ought to induce us to betray our trust in conferring the public honours, yet at the same time there are cases in which the effects of this might be less sensibly felt. For instance, in cases where we should be compelled to oppose particular acts of an administration, we might still make a clear distinction between what was good and what was bad. In the present case I shall not enter upon the particular acts. In deciding upon this question, I should be unwilling to take any one particular act of the administration of the late minister. I always thought, and do still think, that an unfortunate system of government has pervaded the whole of the present reign; and I firmly believe that system

to have been the cause of all the disasters and disappointments which the country has experienced, almost uniformly throughout the whole course of it. Being of this opinion, how can I conscientiously say that he who followed this system was an "excellent statesman?" To that system I ascribe the loss of the American colonies, and I cannot but impute blame, instead of praise or honour, to all the ministers who have supported it. The Earl of Guildford who conducted the war, in the event of which those colonies were lost, was a man of very uncommon talents, and of very amiable qualities. Towards the latter part of his life, I was connected with him, not only in political opinions, but also in habits of the most intimate friendship, But, notwithstanding all that, I have no hesitation in declaring, that if, at the decease of that nobleman, any motion similar to the present had been made in this House, much as I esteemed and loved him, and still more dearly as I loved his son, the late earl, I should have been the very foremost to oppose it. Thinking as I do of the disastrous effects of that system, which I before stated to have prevailed throughout the present reign, I cannot but accuse the late minister of having, I will not say criminally, for the expression might sound, in some ears, too harsh, but, most unfortunately, lent his brilliant talents and his commanding eloquence, to the support of it. In having done so, and with the knowledge he must have had of it, I esteem him the more culpable, as without that splendour of mental endowment, which enabled him to throw a veil over the hideous deformity of the system alluded to, I am fully persuaded, that it could not have resisted the attacks made upon it, and consequently could not have existed, and spread its baneful influence half so long. No man can be more desirous than I am, to bury in oblivion the remembrance of those contests in which we were so long engaged. This I shewed plainly enough while he was alive. But, I cannot consent to confer public honours, on the ground of his being an "excellent statesman," on the man, who, in my opinion, was the sole, certainly the chief supporter of a system, which I had early been taught to consider as a bad one. Thinking thus, it cannot be expected that I should so far forget my public duty, and the principles which I have uniformly professed, as to subscribe to the condemnation of those principles, by agreeing to the motion now before the House. But, I defy the honourable gentleman, I defy any person who differs from me, I defy any one of those who are most desirous of misrepresenting my motives, to point out any possible feeling of interest or ambition, that could induce me to oppose it. My motive is a sense of public duty, which would be violated, if I were to

agree to confer honours, on grounds which to me do not appear to warrant my concurrence.

Sir, I am sorry that this motion was ever made. I said so before, and if those who were most nearly connected with Mr. Pitt by the ties of blood, and who may be supposed to be most interested in his glory, and the respect that is to attend his memory, had been consulted, I believe a mode might have been struck out, by which a suitable mark of respect might have been conferred on him, without reducing us to this dilemma. Now, however, it is too late. The thing is done, and cannot be helped, and nothing remains for us but to do our duty, however much our feelings may be hurt by the performance. I must therefore conclude with saying, that, in my opinion, my public duty calls upon me, in the most imperious and irresistible manner, to oppose the motion; and that, however painful to my feelings in every respect it may be, I must do my duty.

The House divided on Mr. Lascelles' motion:

	Tellers.			*Tellers.*	
YEAS	Mr. H. Lascelles Marq. of Titchfield	258.	NOES	Visc. Folkestone Mr. W. Smith	89.

LORD ELLENBOROUGH'S APPOINTMENT TO A SEAT IN THE CABINET. *

March 3.

IN consequence of the appointment of Lord Chief Justice Ellenborough to a seat in the cabinet, Mr. Spencer Stanhope this day moved the following resolutions: 1. "That it is the

* In the course of the month of February 1806, a complete change of ministers took place. The following is a list of the new administration:

President of the Council — Earl Fitzwilliam.
Lord High Chancellor — Lord Erskine.
Lord Privy Seal — Viscount Sidmouth.
First Lord of the Treasury (prime minister) — Lord Grenville.
First Lord of the Admiralty — Lord Howick (late Mr. Grey).
Master-General of the Ordnance — Earl of Moira.
Secretary of State for the Home Department — Earl Spencer.
Ditto for Foreign Affairs — Right Hon. Charles James Fox.

opinion of this House, that it is highly expedient that the functions of a minister of state and of a confidential adviser of the executive measures of government, should be kept distinct and separate from those of a judge at common law. 2. That it is the opinion of this House, that those members of his majesty's most honourable privy council, whom his majesty is advised to direct to be habituatly summoned, and who are so summoned to that committee or selection of the said council, which deliberates upon matters of state, and which is commonly known by the name of the cabinet council, are, and are deemed to be, the confidential ministers and advisers of the executive measures of government. 3. That the so summoning to the said committee, or cabinet council, a lord chief justice of England, to sit and deliberate as a member of the same, is a practice peculiarly inexpedient and unadvisable, tending to expose to suspicion, and bring into disrepute the independence and impartiality of the judicial character, and to render less satisfactory, if not less pure, the administration of public justice." The resolutions were supported by Mr. Canning, Lord Castlereagh, Mr. Perceval, and Mr. Wilberforce; and opposed by Mr. Bond, who moved the other orders of the day, Earl Temple, Mr. Fox, Lord Henry Petty, and Mr. Sheridan.

Mr. Secretary Fox rose and spoke as follows:

With regard, Sir, to the question before the House, I must say, that the introduction of it is to me matter of surprise. It is the first instance that I have ever heard of such a thing as the cabinet council becoming the subject of debate in this House. I never knew the exercise of the king's prerogative in the appointment of his ministers to be brought into question upon such grounds as have been stated this

---

Secretary of State for the Department of War and the Colonies — Right Hon. William Windham.
Lord Chief Justice of the Court of King's Bench — Lord Ellenborough.
Chancellor and Under-Treasurer of the Exchequer — Lord Henry Petty.
President of the Board of Controul for the Affairs of India — Lord Minto.
Chancellor of the Duchy of Lancaster — Earl of Derby.
President of the Board of Trade — Lord Auckland.
Secretary at War — Right Hon. Richard Fitzpatrick.
Treasurer of the Navy — Right Hon. Richard Brinsley Sheridan.
Joint Paymaster-General — Earl Temple, Lord John Townshend.
Joint Postmaster-General — Earl of Buckinghamshire, Earl of Carysfort.
Secretaries of the Treasury — Right Hon. Nicholas Vansittart, John King, Esq.
Master of the Rolls — Sir William Grant.
Attorney-General — Sir Arthur Pigott.
Solicitor-General — Sir Samuel Romilly.
Lord Lieutenant — Duke of Bedford
Lord High Chancellor — Right Hon. George Ponsonby
Chief Secretary — Right Hon. William Elliot
Chancellor of the Exchequer — Right Hon. Sir J. Newport
} of Ireland.

night. No doubt, if any one should be appointed to the privy council, or to any select committee of that council, against whom personal objections lay, it would be a fair ground for an address to his majesty to advise the removal of such person. But, where no personal objections are or can be stated, one must hear it recommended with astonishment, that a class of officers who are admitted to be perfectly eligible to the privy council, should not be allowed to discharge the functions of a privy counsellor — should, in fact, be excluded from the performance of duties which, on their admission to the privy council, they are sworn to perform. So much as to the reason of the question. — But, in point of fact, there is nothing in our constitution that recognizes any such institution as a cabinet council; and the House will recollect that this is an opinion which I expressed long since, upon an occasion to which every man must look back with regret (his majesty's last illness). The opinion which I then declared, I have always held and still hold, that a cabinet council is unknown to our law, and has in no instance whatever been recognized by parliament. That part of the privy council which his majesty thinks proper habitually to consult has, indeed, of late years, been denominated the cabinet council. But names are of small account upon this question. Call this council what you will — either the ministers of state or the executive committee, still the law can know nothing of its members but as privy counsellors.

But a few words as to the general principle. If the point were mooted, whether the appointment of a cabinet council at all be not an abuse of the royal prerogative, I confess there would be much to say on both sides, and I should have great doubts which course to take. However, it is undeniably a body which parliament has always declined to recognise; and their avoiding any such recognition has afforded some advantage to the gentlemen on the other side, of which they have very diligently availed themselves. As the existence of a cabinet council has never been legally acknowledged, there is, of course, no legal record of the members comprising such cabinet; and we have it not in our power to state any thing of authority upon the subject, but what may have come within our own observation, or may have been communicated to us by our fathers. Therefore, when the honourable gentlemen ask us to produce precedents, applying to the case before the House, we must answer that we have it not in our power to produce many, and they appear to doubt even the few we can offer. Some profess to think, that the case of Lord Hardwicke's being in the cabinet while chief justice of the king's bench, is doubtful. Certainly, there is no official authority

to remove such doubt. It is stated by the right honourable gentleman (Mr. Canning) that Lord Mansfield was not known, at a certain time, to have been in the cabinet, until it was confessed by that noble lord himself. Although the right honourable gentleman was wrong in this particular instance, still his confession serves to sustain the proposition I have in view, as to the difficulty of adducing many precedents upon this subject. The right honourable gentleman has frequently spoken of the cabinet, as a responsible body. I wish that right honourable gentleman, or any gentleman who supports his opinion, to point out from what parts of our statutes, or of the recorded proceedings of this House, he has learned that the cabinet, or any individual belonging to it, has been, as such, held to be legally responsible. From newspapers and conversations abroad, the right honourable gentleman professes to have obtained much information upon this topic. But, upon such an occasion, would it not be somewhat more correct to consult the statutes and the journals of this House, than such sources of knowledge as the right honourable gentleman has quoted? When the right honourable gentleman speaks of the responsibility of the cabinet, I would recommend him to consider, whether it would be expedient to insist upon the attachment of responsibility to the whole of such a body, for every ministerial act; and whether such a measure might not be apt to endanger, if not in most instances to defeat, the object of responsibility? For any act done in my office, I am directly responsible to parliament, and the country; and perhaps it is much better for any purpose of practical responsibility, that it should fall on one man, than on a body; for this obvious reason, that the difficulty of producing conviction and punishment is the less in one case than in the other. I do not mean to say, that it is not desirable to bring forward the charges of guilt against all the advisers as well as the agent, if it were practicable to prove them. The immediate actor can always be got at in a way that is very plain, direct, and easy, compared to that by which you may be able to reach his advisers. Many cases are to be found in which parliament have tried to get at the advisers too. But how have they tried to do so? Look at the mode, and that mode alone will sustain my argument, that the cabinet counsellors are not legally known. For in the addresses presented upon such occasions as I have referred to, it will be found, that parliament apply to know by whom any measure to which the address alludes, may have been advised. Surely, then, such an application serves to shew, that the cabinet has never been deemed a responsible body; for, if it were, such an application would be quite

superfluous. But, do not confine your research to those addresses; look at the journals throughout. Examine the several articles of impeachment on record, and you can discover no instance of any man, or body of men, being impeached as cabinet counsellors. Take the end of Queen Anne's reign. See the articles of impeachment exhibited against the Earl of Oxford for the conclusion of the peace of Utrecht. Lord Bolingbroke and Mr. Prior, who were the persons principally concerned in that transaction, being then out of the country, and beyond the reach of parliament, it was eagerly endeavoured to implicate Lord Oxford. In prosecution of this object a variety of shifts and expedients were resorted to, which would have been totally unnecessary had the cabinet council been considered a responsible body. No, in that case it would be all easy and smooth. But, in that case, it appears that not one word was mentioned which could countenance the idea of any recognition of a responsible cabinet council. And yet, among the leaders of those who promoted the impeachment of Lord Oxford, were many very able men, among others Sir Robert Walpole. I do not mention this statesman for the purpose of expressing my concurrence in the general censure which has so long attached to his character. On the contrary, I think that he experienced much undeserved obloquy, as well in the course of his life, as since his death. But I confess, that if I were to panegyrize that distinguished man, I should not rest my panegyric upon his scrupulous regard to the means by which he could reach his object, particularly when stimulated by resentment. Another distinguished person seconded Sir Robert Walpole in this prosecution, and he certainly, however estimable in other respects, was by no means remarkable for moderation. And yet these active, able men, never, in their zeal to achieve their purpose, even hinted at that, the establishment of which would have so much facilitated their success, namely, the existence of a responsible cabinet council

From this, and from other circumstances I infer, that such a council was never legally conceived to exist. Therefore, the first time the honourable mover proposes to the House to recognize the existence of such a body, if you adopt his proposition, I ask, do you mean to stop there? For if in any shape you acknowledge the existence of a cabinet council, you must go on to make such a body not alone formally, but really known to the House and to the laws. The gentlemen who support the motion may say, that it is not their object to go so far; but the consequence I have stated must naturally follow the adoption of the motion. — One word more before I quit this part of the subject. Some gentlemen

may confound the functions of what is called the cabinet council, and therefore it may be necessary to state a distinction, of which the noble lord (Castlereagh) must be aware. Councils frequently meet, which are assembled solely for the purpose of affording to the members an opportunity of consulting with each other, and stating their ideas on points connected with their several departments, but with no intention of communicating the result to his majesty. Indeed, upon many such points it would not only be unnecessary, but improper to communicate with his majesty. The noble lord knows to what I allude. On other occasions the cabinet council meet to advise his majesty in person. In the former case of meeting, it will not surely be pretended that any responsibility can attach to the proceedings of this council, or that any individual minister can incur censure for consulting them, the aid of whose counsels may be useful and necessary. And to whom should responsibility attach in the latter description of meetings? To the agent, to be sure, who executes the plan resolved on. This I maintain to be well founded. For if this committee of the privy council should order any project which did not meet my approbation, and against which I should consequently protest, still if the plan were exceptionable, my protest would not acquit me of the responsibility that would arise from the execution of it. This I take to be the general rule with regard to ministerial responsibility; and every thing that has occurred different from this rule, I consider in the light of an exception. —In all the observations on the other side with regard to this subject, gentlemen appear altogether to overlook the privy council. They seem, indeed, to forget the existence of that body; for in talking of objects of ambition they confine themselves to the cabinet council. But pray is not a seat in the privy council an object of ambition also, and is not the circumstance of being struck off from that body a cause of disgrace? There may, to be sure, have been instances where such striking off produced no disgrace or mortification to the party concerned, but was felt rather as a source of pride. But yet, to say generally, that a seat in the privy council is not an object of ambition, and a removal from it the cause of mortification and disgrace, would be wholly absurd. Perhaps the desire of obtaining the seat is balanced by the fear of losing it, and this fear affords a guarantee for a privy counsellor's performance of his duty. These counsellors are known to the law, and it is known that if any one of them should advise his majesty, he is responsible for such advice, whether he belongs to what is called the cabinet council or not.

Having said thus much on the subject of responsibility, I shall now go into the other points connected with this question. With regard to theoretical principles, the name of Montesquieu has been adduced. For this writer, as a general political philosopher, I entertain the highest respect; but the application of his opinions to, or his clear comprehension of, the constitution of England, I am not disposed to admit. What Montesquieu chiefly insists upon, that has any relation to the point at issue, is this, that the legislative should be totally separate from the judicial functions. But will any man attempt to apply this rule to the constitution of England? Will you separate the executive government altogether from the legislative? I hardly think that any proposition of that sort is ever likely to be submitted to this House; and sure I am, that none such would, or ought to be adopted. But Montesquieu says, that the judicial ought to be separate from the legislative function. Do gentlemen mean to press the application of that doctrine to this country? No, they cannot, for the case of the lord chancellor immediately presents itself. Over this case, however, it has been attempted to pass, by the aid of a fine distinction. In order to favour the adoption of Montesquieu, and apply it to this question, it is maintained, that there is a material difference between a civil and a criminal judge. The gentlemen who support the motion, not content with the theory of Montesquieu, which is not at all applicable to the constitution of this country, have had recourse to the authority of Blackstone, but being unable to find any theory exactly to answer their purpose, they have, I observe, endeavoured to pare down different theories: still, however, they have failed. But with regard to Blackstone, I beg in the first instance to demur to his authority as a great constitutional writer. That the municipal law is laid down by him with uncommon perspicuity, and that he dilates upon it with great eloquence, I am ready to admit. His purity of style I particularly admire. He is distinguished as much for simplicity and strength as any writer in the English language. He is perfectly free from all gallicisms and ridiculous affectations, for which so many of our modern authors and orators are so remarkable. Upon this ground, therefore, I esteem Judge Blackstone, but, as a constitutional writer, he is by no means an object of my esteem; and for this, among other reasons, that he asserts the latter years of the reign of Charles II. (I mean those which followed the enactment of the habeas corpus act) to have been the most constitutional period to be found in our history, not excepting any period that followed. Now, it would be inconsistent with all the principles which I

have ever held, to regard such a writer as a constitutional authority, much less to look up to him as an oracle. However, the words quoted from this author by the gentlemen on the other side are, I am prepared to say, quite misunderstood. When Blackstone says, that "a judge should not be a minister of state," he means the word minister in the English sense, and not in the German, Italian, or French sense. He means, of course, that a judge shall not administer the affairs of government. But that is quite a different thing from the manner in which the gentlemen on the other side would have it understood or applied. The meaning of Blackstone, however, will appear to be palpably different from the construction of the honourable gentleman, when we look at the conduct pursued during those very latter years of the reign of Charles II. which forms the subject of his panegyric. It will be recollected, that in the course of that period Sir William Temple introduced a bill for the appointment of a committee of privy counsellors, to consist of about thirty persons. This bill was shown to, and approved of by, Lords Essex, Hollis, Cavendish, Russell, and all the best men of the day, and yet by this bill it was provided, that the chief justice of the common pleas should be a member of the proposed committee of council. But it is clear that Blackstone's meaning applied not to any thing like that which the gentlemen on the other side could infer. A judge belonging to the privy council, according to the sense which these gentlemen attach to the words of Blackstone, would incur blame; and yet they disavow any intention of blaming a judge upon that ground.

So far as to the principle of the appointment complained of. I shall now advert to the practice. I am told that there is only one instance stated on my side; namely, that of Lord Hardwicke; and the gentlemen are so good as to give me the case of Lord Eldon in addition. But it has been stated, that these noble lords held for a very short time only the offices of lord chief justice and members of the committee of council. But the shortness of the time was of little account. If the noble lords thought the retention of such offices contrary to constitutional principle, they would not surely sanction by their own acts the violation of such a principle. There is, however, another case, that of Lord Mansfield: that noble lord connected in his own person, from 1757 to 1763, the two situations, the junction of which is now so much complained of. I do not mean to discuss the character of Lord Mansfield, who, like many great men, had good and bad qualities, but certainly the odium attached to it, did not proceed from his merely combining a seat in the cabinet with the chief justice-

ship of the King's Bench. This combination, however, is said to have been much condemned by Lord Shelburne, and to prove this, a speech of that noble lord has been quoted. I have looked at the quotation, and the words as reported, are absolute nonsense, and therefore, I am persuaded, never were uttered by Lord Shelburne. They import that no political man should have any thing to do with advising that which it belongs to his department to execute. Why, if this were a fair ground of censure, it would apply to myself and my colleagues beside me, who are every day advising, what we are ourselves to execute. To ascribe such an observation to Lord Shelburne is quite ridiculous. It must have been a misprint or some misconception, to which Lord Shelburne, who, like myself, spoke very rapidly, was extremely liable.—But, to return to Lord Mansfield; it really astonished me to hear it remarked upon, as a new and surprising article of intelligence, that that noble lord was so many years in the cabinet, and that some gentlemen heard it this night for the first time. What, that Lord Mansfield could have been so many years in the cabinet with such different administrations, with Lord Chatham, the Duke of Newcastle, and Mr. Grenville, and all the time have kept snug in the corner and be unknown. Preposterous supposition! These distinguished men not only knew that Lord Mansfield was in the cabinet, but they approved it. If they did not, it was not to be imagined that they would have allowed it. The gentlemen on the other side will hardly think that if I conceived the thing of which they complain to be a violation of constitutional principle, I would be a party to it. Let them, then, give the same fair play to Lord Chatham, the Duke of Newcastle, and Mr. Grenville.

As to the injury likely to result to the constitution, from the introduction of a chief justice into the cabinet, I think the bill of the present reign, which establishes the independence of the judges, is a sufficient answer to that apprehension. But I now come to the specific objections made to a chief justice of the court of King's Bench sitting in the cabinet. Now, the first relates to libels; but in reply to this, I shall only say, that I never heard of such a thing as the propriety of prosecuting for a libel being agitated in a cabinet council; I never witnessed any thing of the kind, and I do not find from any of those who were in the cabinet during the period when many prosecutions took place, that the subject of such prosecutions was ever discussed there. Sure I am, that no such discussion ought to take place there. The consideration of questions of that nature properly belongs to the office of the secretary for the home department, with whom it rests,

to give orders to the attorney-general to prosecute. But, the case of treason has been alluded to. Upon questions of this kind, Lord Ellenborough is as liable to be summoned to attend the cabinet as privy counsellor, as he is in his present situation. But I contend, that he is likely to be seriously prepossessed by such previous examination as the magistrates are, who commit prisoners, or as the judges of the King's Bench are, when they grant an information upon the affidavit of one of the parties, without sending the charge to the grand juries. I have, however, no hesitation in saying, that when a subject of high treason comes on for discussion in the cabinet, which may be afterwards brought to trial in the court of King's Bench, the absence of the noble lord who is the subject of this debate from any such discussion would be most becoming. I should certainly feel it right to absent myself upon such an occasion, if in the circumstances of the noble lord. But how many are the subjects connected with war and peace, with our commerce and finances, upon which a lord chief justice may be consulted without exciting the slightest jealousy or objection! On these points, however, it is said, you must not consult him, because if you do, you make him a politician. And pray do gentlemen forget, that by the very oath of a privy counsellor, the chief justice binds himself to give such advice? If, however, you interdict him, as the advocates of the motion propose, what do you mean to do with him? We have heard of the dinner placed before Sancho Pança: if he wished for fish, that was objected to; and if he wished for meat, an objection was started also; so, between the objections, poor Sancho had no dinner at all. Just in a similar manner do the friends of the motion propose to deal with Lord Ellenborough. The noble lord is made a privy counsellor, but yet he is not to be consulted upon points of law, lest his mind as a judge should be prepossessed; nor is he to be consulted on points of state, lest he should be made a politician. Thus it was proposed to destroy his functions as a privy counsellor altogether.

Mr. Fox returned to the subject of the incompatibility of the judicial and legislative functions, and asserted that such incompatibility was never known to have been rigidly insisted on, but in two instances; the first of which took place under the second government, after the commencement of the Revolution in France; and the second instance was with regard to Turkey, and upon this he had read no law but in the Arabian Nights, and other such works; according to which it appeared, that the bashaw and the cadi must always be separate. Adverting to the statutes which applied to this question, he quoted the acts of regency adopted on the pro-

position of lord chief justice Holt, in the reign of Queen Anne, and that also in the early part of his present majesty's reign. By both these acts, he stated that a council to assist the regent was appointed, and it was expressly provided that the lord chief justice of the King's Bench should be one of the council. Now, it must be evident that in such situation the chief justice would have to perform the same functions as Lord Ellenborough would be now called on to execute. It appeared, in fact, that the present cabinet was formed merely on the model laid down for the councils of regency mentioned in those celebrated acts. The last act, he observed, was supported by the vote of Blackstone, who on this night was quoted as adverse to its principle. After recapitulating and ably inforcing his several arguments, Mr. Fox insisted that the proposition before the House was supported neither by precedent, law, argument, or expediency. He took notice of the observation, that the motion was not brought forward as an opposition question. He assured the honourable mover and his supporters, that he was not at all inclined to provoke opposition to his measures. On the contrary, he should be glad of the support of any set of gentlemen; but if he was to have an opposition, he particularly wished that they might always choose such questions as that now before the House.

The question that the other orders of the day be now read being then put, the House divided:

	Tellers.			*Tellers.*	
YEAS	Earl Temple Mr. Bond	222.	NOES	Mr. S. Stanhope Mr. Wallace	64.

KING'S MESSAGE ON THE WAR WITH PRUSSIA.

April 23.

ON the 21st of April Mr. Secretary Fox presented the following message from his majesty:

"G. R.

"His majesty thinks it proper to acquaint the House of Commons, that he has found himself under the necessity of withdrawing his ministers from the court of Berlin, and of adopting provisionally measures of just retaliation against the commerce and navigation of Prussia. His majesty deeply regrets this extension and aggravation of calamities, already so severely felt by

the nations of the continent, whose independence and prosperity he has never ceased to consider as intimately connected with those of his own people. But measures of direct hostility, deliberately adopted against him, have left him no alternative. — In a moment of confidential intercourse, without even the pretence of any cause of complaint, forcible possession has been taken by Prussia of his majesty's electoral dominions. Deeply as this event affected the interests of this kingdom, his majesty chose, nevertheless, to forbear, on this painful occasion, all recourse to the tried and affectionate attachment of his British subjects. He remonstrated by amicable negociation against the injury he had sustained, and rested his claim for reparation on the moderation of his conduct, on the justice of his representation, and on the common interest which Prussia herself must ultimately feel, to resist a system destructive of the security of all legitimate possession. But when, instead of receiving assurances conformable to this just expectation, his majesty was informed that the determination had been taken of excluding by force, the vessels and the commodities of this kingdom from ports and countries under the lawful dominion, or forcible controul of Prussia; his majesty could no longer delay to act without neglecting the first duty which he owes to his people. The dignity of his crown, and the interests of his subjects, equally forbid his acquiescing in this open and unprovoked aggression. He has no doubt of the full support of his parliament, in vindicating the honour of the British flag, and the freedom of the British navigation; and he will look with anxious expectation to that moment, when a more dignified and enlightened policy on the part of Prussia, shall remove every impediment to the renewal of peace and friendship with a power with whom his majesty has no other cause of difference than that now created by these hostile acts."

The message was ordered to be taken into consideration on the 23d, when

Mr. Secretary Fox rose and spoke as follows: — I am sure, Sir, it is impossible that the message we have now heard read, can fail to excite the strongest sensation in every temper and disposition of mind which can exist in this House. In the first place, when we hear it stated that his majesty has abstained from appealing to his British subjects, on account of the violence and injustice which have been done to him in the seizure of his electoral dominions, it is impossible not to feel grateful for that kindness and mildness which his majesty has always shewn to the subjects of this realm. It was with extreme reluctance that he could consent to involve them in war upon any ground that was not immediately and directly connected with British interests. After the sentiment of gratitude to his majesty for this tender consideration of his subjects of this kingdom, the next feeling which must be strongly excited by the message, is a feeling of just indig-

nation at the conduct of the court of Prussia. I hope that every member, while he feels this just indignation, will, at the same time, perceive the propriety of uniting the most vigorous measures, with a language temperate and moderate, and which does not violate that respect which has been always considered as due to crowned heads, and ought not in the present times to be departed from. Indeed, to describe justly the measures which have been adopted by the court of Prussia against this country, they cannot be called the measures of the King of Prussia; for that sovereign is known to be of a mild and pacific disposition. The measures must be considered such as his Prussian majesty has been induced to adopt from the pernicious councils of the enemies of this country. Had it been my object to condemn in the strongest terms the decision of the Prussian cabinet, I might have thought it necessary to lay some additional papers on the table, but that not being my object, I have moved but for few. More would have been unnecessary, as it was not my wish to give the strongest possible colouring to the accusation that the message contains.

In order, Sir, to understand those proceedings which have terminated in an outrage, unprecedented in the history of the worst measures of the worst times of Europe, it will be necessary to view the transaction a little earlier. The origin of this proceeding is to be traced to the convention concluded at Vienna, on the 15th of December, between Count Haugwitz and the French emperor; but when it is considered what was the situation of Prussia, at the time that its sovereign concluded that treaty with France, it must be recollected, that its means of negociation were still greater than what it derived from its own sources, or its own armies. The armies of Prussia were undoubtedly numerous and respectable; but was it on them alone that the King of Prussia relied, when he was negociating with France? Certainly it was not. He had a strong additional support, which gave weight to his negociations. The Emperor of Russia, after he had left Austerlitz, gave the whole direction of the Russian troops that remained in Germany, to the command of the King of Prussia. This country, too, had promised him a powerful assistance by pecuniary supplies, if he should be driven to a war with France. These were the means he possessed of giving weight to his negociations. And how did he apply those means? Why, to seize a part of the territories of one of those powers which had been supporting him in that rank and situation which enabled him to conclude his treaty. After this treaty was signed, a considerable difficulty remained in the execution of it; this difficulty proceeded, in a great measure, from the

just scruples of the King of Prussia, who perceived that it would be very hard to prevail upon his Britannic majesty to ratify such a treaty, and who, therefore, felt that his title would be so bad as to make the acquisition of Hanover, under these circumstances, a poor equivalent for those provinces that he was obliged to give up to France. He felt, besides, that, upon no principle of justice, could he pretend to take it on other terms than those which France herself had held it on, and therefore, at first, he did not pretend to take Hanover absolutely; but with the power of restoring it. France, in the mean time, pressed for the cession of Anspach and Bayreuth. What, then, did the King of Prussia do? I Certainly he did not expect that the French government would be able to negociate between him and his Britannic majesty, that he should be allowed to retain Hanover; and therefore he finally resolved to seize it without the consent of his majesty, and under the pretence of an equivalent for Anspach, Bayreuth, and those provinces which were ceded to France. It cannot then be said, that this treaty, and the proceedings which followed it, were altogether the effect of fear; for what was the necessity under which his Prussian majesty was placed? Was it merely the necessity of ceding Anspach and Bayreuth? This might have been a considerable misfortune, yet it was one which might be justified by necessity. But the sort of necessity claimed by the King of Prussia, is different; he says, "Because I have lost Anspach and Bayreuth, I therefore feel myself under the necessity of seizing the dominions of some third power: not only of a third power, but of one that, from all times, and by every circumstance, I am bound to respect." This is the sort of necessity claimed by the Prussian court, and it is this which makes the case of Prussia much worse than that of any other nation in Europe. As for Spain (I do not wish to revive the differences of opinion with respect to the Spanish war) but Spain, I say, would comply no farther with the wishes of our enemies, than by giving a sum of money. Holland, and other powers, have been, from terror, obliged to make cessions of territority to France; but no other power has been compelled, by terror, to commit robberies or spoliations on its neighbours. It is in this that the case of Prussia stands distinguished from that of all other nations. We cannot help looking, with some degree of pity and contempt, on a power that can allege that it is reduced to such a necessity. It would be, in itself, a considerable humiliation or degradation to Prussia, to be obliged to give up those provinces to which it was so much attached, and which had been called, "The cradle of the House of Brandenburgh." The degradation of this cession

was still much increased by the conduct of the people of Anspach, who entreated their sovereign not to abandon them. Instead of lessening the ignominy of the cession, it was a great increase of dishonour, to sell a brave and loyal people for what was called an equivalent: it was an union of every thing that was contemptible in servility, with every thing that was odious in rapacity.

On the 26th of January, an official letter was written from Baron Hardenburg to Mr. Jackson, expressly stating it to be the intention of his Prussian majesty to take possession of Hanover only until the conclusion of peace between England and France. In the answer to that letter, his majesty expresses his firm reliance on the declaration of his Prussian majesty, but wishes the terms to be more explicit. The language that Prussia held at that time to our court, was the same she then held to Russia, and to every other court with which she was connected by the relations of friendship. Soon after this, the convention with France appeared, and then the court of Prussia wished to represent the measures taken with regard to Hanover, as in a manner dictated by France; they would have it supposed, that it was rather an object of French than of Prussian ambition, that they should be posssesed of Hanover. At first, they endeavoured to represent to the government of this country, that it was more for our interest that Hanover should be occupied by Prussian than by French troops; and their argument was this: "If we have it, the ports may be still open to your commerce, or at least your manufactures may have a passage through our territory." This hope was, however, now entirely cut off, and M. de Schulenburgh, in his manifesto, professes to take the country as a present from France, which she had won and held by the right of conquest. No example could be found in all the histories of war, and no mention had ever been made by the writers on the law of nations, of any power having a right to receive as a present, a country occupied during a war by one of the belligerent powers, but not ceded by the other. The House must, therefore, see to what extremity we are now reduced. It would be idle to say that a war with Prussia would not be a calamity. It is impossible, but that it must be a calamity to this country, to have the number of its enemies increased. It is also a painful consideration to think that there is no mode of returning this calamity on the aggressors which will not, in some degree, fall also on neutral and friendly nations, and even on ourselves. The House will, however, feel that there are occasions in which a manifestation of our principles and of our resentment, becomes necessary, although attended with the calamities inseparable

from war. If such an outrage as this were passed over, might not every other nation in Europe, and particularly those who have less power to resist than Prussia, say to us, "we wish as much as you that the power of France could be restrained, but you see our situation, and the great power of France, to which we are exposed? What are we to do?" If this question were put to me, I should answer, that powers in that situation must save themselves as well as they can, and even make cessions if they are insisted upon. If Prussia should allege, that she was in that state of comparative weakness that she was obliged to cede Anspach and Bayreuth; however his majesty might lament the necessity, or the accession of strength his enemies derived from the acquisition, still he would not have attempted to oppose it, or make the slightest remonstrance on the occasion. But when that power shall say, "I am not only obliged to make cessions, but I am also obliged to make war with you," then the question becomes very different, and his majesty is under the necessity of considering it in a very different light. Although I, for one, am not inclined to look very favourably on the present situation of this country, nor to feel so sanguinely as some other gentlemen, yet I think that, upon the present occasion, we should make a signal example of the court of Prussia; and whatever principles theorists may lay down about restoring the balance of Europe, I think we shall do more to restore the sound and true principles that ought to prevail in Europe by shewing the world, in this instance, that this country will not abandon them herself, nor consent that they shall be departed from by other nations in their transactions with her. I consider that the power of the country consists, in a great measure, in the known justice of its principles, in its moderation and forbearance; but if the court of Berlin chooses to depart from the principles of justice, and to act with hostility towards this country, it must take the consequence. I believe it has, as yet, gained nothing by its injustice. Hanover, desolated as it was, first by French armies, and afterwards, in a still greater degree, by Prussian armies, can add little or nothing to the revenues of Prussia, neither can it, in its present situation, increase her military strength. The King of Prussia has been given a mere nominal possession of that country; but so far from being strengthened by this present from France, he is only the more completely vanquished and subdued. Austria was forced, by the fortune of the war, to cede many of her provinces; other nations had been obliged to make similar cessions; but none of them had, like Prussia, been reduced to that lowest state of degradation, to consent to become the ministers of the injustice and rapacity of a master. By the command of France, Prussia was obliged to shut the

ports of Hanover against our ships; and what was the possession which France allowed her to keep of Hanover? She has sent general Barbou to reside in that country, as a military superintendant, to see that every thing was done there according to the pleasure of France. There are many other instances of the manner in which Prussia is now treated by France; in several transactions, respecting the possession of Essen and Werden, and several little villages almost too inconsiderable to name, Prussia is treated with as little respect as she deserves. The French appear constantly to treat Prussia as a country that it is impossible to make a treaty or agreement with; and, in this respect, it is very likely they are in the right. In our conduct upon this occasion, we shall have avoided a great evil, and done some good; we shall avoid the giving the sanction of this country to the spoliations which have been committed on the continent; we shall avoid the imputation of being indifferent to the fate of his majesty's foreign possession, which would be a heavy imputation, even if it were supposed that their security was not immediately connected with the interests of this country; but, above all, we shall avoid the giving our sanction to that principle which has been lately adopted, of transferring the subjects of one prince to another, in the way of equivalents, and under the pretext of convenience and mutual accommodation. The wildest schemes that ever were before broached would not go so far to shake the foundations of all established governments as this new practice. If we are to make exchanges, let us exchange those things which are the proper objects of exchange; let us give a field for a field, or let us exchange its stock, its oxen, and its sheep; but let us not consider the people of a country, or the subjects of a state, as matter for exchange or barter. There must be, in every nation, a certain attachment of the people to its form of government, without which no nation can subsist. This principle, then, of transferring the subjects of one prince to another, strikes at the foundation of every government, and the existence of every nation. I had, therefore, great pleasure in presenting the note, delivered by me to M. Jacobi, which expressed, that no consideration of convenience or mutual accommodation, much less an equivalent, would ever induce his majesty to forget the exemplary fidelity and attachment of his Hanoverian subjects, or consent to the alienation of the electorate. I do not know that it is necessary to make any farther observations; but before I sit down, I must state, that there can be no doubt but that the shutting the ports of Prussia to British vessels is alone most clearly and unquestionably an act of hostility against this country.

Mr. Fox concluded by moving an address of thanks to his majesty, which was agreed to *nem. con.*

SLAVE IMPORTATION BILL.

May 1.

ON the 31st of March, the Attorney-general, Sir Arthur Piggott, obtained leave to bring in a bill "To carry into effect his majesty's proclamation of the 15th of August 1804, for preventing the importation of African negroes by British subjects or British shipping into the colonies conquered by or ceded to us in the course of the war." Upon the third reading of the bill, on the 1st of May,

Mr. Secretary Fox said, that as to this bill having an operation gradually to abolish the slave trade, as some gentlemen seemed to apprehend, he owned he could not flatter himself in the hope that it would produce such a consequence; and if he thought it would have such a tendency, instead of that being with him an argument against the bill, it was one which would render him ten times more enamoured of it; but so far from such a consequence, he thought it would only operate some few years hence, to furnish a new argument, added to the old ones, of those who opposed that abolition, but on which certainly he never placed any very strong reliance. They had predicted in the same manner of the slave carrying trade, and of every other regulation calculated to palliate the enormous abuses of that trade. They had said, "Oh! if you pass this bill, there will be no need to say any more about abolishing the slave trade, as in a very few years you will have no such trade to abolish;" and yet afterwards, when the gradual abolition came to be proposed, the same persons argued, "Why abolish? You have already established such wholesome restrictions upon the trade as to obviate its evils, and make it tend of itself to a gradual abolition." Such might probably, in a year or two hence, be the argument applied in respect of this bill, which was now spoken of as a measure destrustive of the trade of this country. Having, however, no such apprehension, such arguments had no influence upon his mind. With respect to the total abolition of the slave trade itself, whatever gentlemen might think of the consistency of those ministers in office, who had voted

for it out of office, he would not take upon himself to answer for the opinions of all his majesty's ministers: he could answer for himself, and several of those with whom he had the honour to act, and some of whom held the highest and most dignified stations in the other House of Parliament, as well as in this, that neither he nor they had ever changed the sentiments they had so repeatedly avowed upon it. They still felt it as one involving the dearest interests of humanity, and as one which, however unfortunate this administration might be in other respects, should they be successful in effecting it, would entail more true glory upon their administration, and more honour upon their country, than any other transaction in which they could be engaged. After all that had been said upon this subject, it would be felt that the measure would most properly be brought forward by the honourable member opposite to him, (Mr. Wilberforce,) whose laudable exertions in that case redounded so much and so justly to his own praise. Whether he should think proper to bring it forward this session or the next, (the sooner the better,) he could assure him of his most cordial support, and that of those friends who, out of office, had voted with him for the abolition of that abominable traffic.

PROPERTY TAX.

May 15.

IN the committee on the property duty bill,

Mr. Secretary Fox said he wished to state in a few words his ideas respecting the principle of the property tax. The general principle of it seemed to be, that all persons having property, of whatever kind, were bound to contribute. The exception from this principle was, that those were to be exempted from its operation, who could not contribute to the tax without depriving themselves of the necessaries of life, and thus becoming the proper objects of charity. In many cases, it would be impossible to take any thing from the produce of labour, since it might be barely sufficient to procure subsistence. Hence the propriety of those exemptions that were proposed in certain cases. Annuitants, also, below a certain sum were to be exempted, because they could not be said

to be possessed of real property. But this would not apply to income derived from monies in the funds, or from landed property. Suppose a man to be possessed of 6 or 700*l.*, from which he derived an income of 30*l.* a year, by subjecting him to the present tax, you could not be said to deprive him of the necessaries of life, or make him an object of charity; for what title could such a man set up to your charitable assistance, who was possessed of a capital of 6 or 700*l.*? He therefore was not entitled to be exempted from the general principle; and this would apply equally to the possession of landed and of funded property. According to the extent of a man's income in many different situations, he might have it in his power to make such alterations in his expenditure as that the tax would not entirely crush him: he might be able in some measure to relieve himself: if he lived on the first floor, for instance, he might remove to the second, and so lessen his expences; if he was on the second already, he might mount to the attic story; but, where a man was already found to be in the cellar, where could he be sent to, what resource could he have?

In consequence of some observations that were made in the course of the debate,

Mr. Secretary Fox begged leave to recall the attention of the committee to the line of distinction he had before drawn, and to repeat, that it was by no means the wish of those who brought forward this tax, that it should so far trespass upon the necessaries of life, as to oblige any of the parties from whom it should be exacted to apply for parochial, or even for private relief; and therefore upon this principle, as in the cases of income from labour, the mere annuitant for life in any income from the funds under 50*l.* was exempted by the bill: But any person who was the fee-simple proprietor of 5 or 600*l.* in the stocks, which might entitle the holder to an income of 20 or 30*l.* a year, he could not consider in the light of an object likely to want the necessaries of life, or to be driven to seek for charitable relief, and therefore an annuity so circumstanced came fairly under the operation of a property tax, like freehold property in land. For the class of persons who were struggling with narrow circumstances to preserve appearances, and maintain the respect to which their characters in life justly entitled them, he felt as sincerely as any man; and not merely for those with incomes of 100*l.* or 200*l.*, but even in many cases with 500*l.* a year. No man was more sincerely disposed than he was to afford them alleviation. He begged his honourable friend to be assured, that he was not a friend to the tax nor to any of its principles or ope-

rations; that he was sensible the objections to it were just and innumerable; but his majesty's present ministers were reluctantly forced to adopt it, under the pressure of existing circumstances, which they had the consolation to reflect they had no share in producing.

LIMITED SERVICE IN THE ARMY.

May 30.

THE House having resolved itself into a Committee of the whole House on the Mutiny Bill, Mr. Secretary Windham proposed the introduction of limited service into the army, by the insertion of a clause to that effect in the bill. After specifying the age of the recruit, and that he did not belong to the militia, he proposed that it should proceed to declare, "that he engaged to serve his majesty, for years, which he would fill up with the word "seven;" and also for such further period as his majesty should please to direct, not exceeding years, which he proposed to fill up with the word "three," but which should terminate at the expiration of a period of six following months of uninterrupted peace. That if the recruit should happen to be under 18 years of age, so many years should be added to the period of service, as should prevent the term of 7 years from beginning to run till he was actually 18 years of age. That every soldier abroad, at the period of the expiration of his service, should be sent home free from expence, and, on his arrival in Great Britain, should receive the usual allowance of marching-money, to carry him to his particular parish or place. If in Great Britain at the time he was entitled to his discharge, then also that he should be entitled to the allowance of marching money." The introduction of the clause was opposed by Sir James Pulteney, Mr. Yorke, Mr. Canning, and Mr. Perceval; and supported by Colonel Craufurd, General Loftus, and Mr. Fox.

Mr. Secretary Fox said, that before he entered into any discussion of the principles of the measure, he must first answer some interlocutory objections that had been made. As to the complaint of its being hurried forward with such precipitation, just as the mutiny bill was going to expire, he must remind the right honourable gentleman who spoke last, (Mr. Canning) and his friends, that, a few days ago, they had contended that the discussion should be delayed two days longer, as they had wished it not to come on before Monday next. If he and his friends persisted in fixing it for the present night, and not putting it off, it was merely that parlia-

ment should have as much time for the discussion as could be given before the expiration of the mutiny bill. If they had fixed it for Monday, the complaint would have been, why did you not bring it in sooner? why did you not give us more time to discuss it? This was a tolerable sample of the general style of the right honourable gentleman's arguments. If the measure had been introduced in the mutiny bill, it was because such was the constant usage of parliament. The right honourable gentleman next found fault with popular assemblies, and parliament's meddling with the army of the crown. Where was it that he made that objection? In a House where the mutiny bill was annually passed, for the avowed purpose of subjecting the army of the country, in some measure, to parliamentary controul. "But," said the right honourable gentleman, "we spent our time much better when we were in administration; we never interfered with the army of the crown; but we provided a constitutional and a parliamentary army to be a balance to it, and at the same time to assist it with recruits." For his part, he must say, he never heard of a parliamentary army before, except in the year 1641; and as for the distinction which had been made, of royal army and parliamentary army, it was what no writer, no speaker, nor no man at all acquainted with the principles of the constitution, had ever taken notice of. Every army in this country was royal, and every army was also parliamentary. The right honourable gentleman seemed to consider the disposable force as the king's army, and every other description of force as a sort of balance to it. The militia, indeed, from its composition, and the description of its officers, might be, in some degree, considered in that light; but as to the additional force raised by the parish bill, nothing could be more ridiculous than to call them a parliamentary force, which was to be a balance to any other, as they were officered by persons appointed by the crown, and taken from the king's army.

An honourable general, (Sir James Pulteney,) had, on a former night, roundly asserted, that no other nation in Europe had ever adopted the limited service recommended; but that night he was pleased to retract something from his assertion, and only said, that the general practice of European nations was against it. The honourable general had not stated the case fairly, when he represented, that, if old France adopted the system, her armies were the worse for it, and that in the seven years' war they had been every where defeated. The honourable general should not have confined himself to the seven years' war, but should have also taken the war preceding it. In that war he would have found, that though the French lost the battle of Dettingen, they won that

of Fontenoy, and were, in the whole of the war, most conspicuously successful. Even in the seven years war, the conduct of the French armies was by no means treated with that levity in the writings of the King of Prussia, that it had been by the honourable general. As the Ordonnance subsisted from 1710 to 1787, it was not fair merely to take seven years of that period as a criterion, when for seventy-seven years they had acquired and supported a high military reputation. The argument which his right honourable friend, (Mr. Windham,) had drawn from the Swiss, was, in his opinion, a very strong one, and completely unanswered. If it were said, that the moral excellence of the soldier's character was destroyed by the thoughts of leaving the service and returning to his home, he should ask, do not the Swiss also feel a strong desire of returning to their native country, and have not the Swiss been at the same time good soldiers? Has not even the circumstance of their joyful return to their homes and families, been made a means of encouragement to others to enlist? When the young men of the country saw the soldier return to his home with more reputation, more happiness, more of every thing that could give satisfaction to mankind, they wished to embark in the same career. As for the measure proposed being a novel theory, he should only say that it had been urged in that House twenty-five years ago, and it was no less than sixteen years since his right honourable friend had stated the advantages which might be expected from changing the term of service. In the system proposed, he thought great advantages would be derived, both from the soldiers who stayed after their term was expired, and from those who left the service. Every one who left the service would shew to his townsmen, or neighbours, the liberty that was granted to soldiers to return to their homes, and this, he thought, would immediately have a strong effect in recruiting the army. It was strange, that those who had so often argued that there was something in real service, and in the regular army, which attracted persons who inlisted for home service, should, upon the present occasion, contend that it had no such attraction, and that every one must prefer the home service. It was no wild speculation or theory, to calculate upon the common sense and common feelings of mankind. There was no doubt but that any body who had a horse to dispose of, would rather sell him for twenty guineas than for ten; and there could be no doubt, but that the military profession must be rendered more attractive by being made more eligible.

A right honourable gentleman, (Mr. Yorke,) had asked, was it necessary to extend our military system? Had we not

an army which, both in discipline and in numbers, was every thing that could be wished; which was fully efficient for every purpose? For his part, he could not allow that we did possess an army efficient for all the purposes of the country. It must be remembered, that in the unfortunate campaign on the continent, the country was placed in such a situation, as to witness the defeat of its allies, without a British soldier having an opportunity of striking a blow in their defence. If it is said, that the country had, at that time, an army fully efficient, what must be thought of those ministers who did not apply the means they were possessed of for the annoyance of the enemy, and the support of our allies? That most disastrous campaign was decided without a British arm being raised or a musket fired, in defence of the continent of Europe. What would the great Duke of Marlborough have said, if the ministers of that day had told him, "you are certainly the best general in Europe, and our army is very fine and efficient to all the purposes of the country; but we cannot give you any force, either to protect our allies or to attack the enemy?" It has been often said, What occasion has this country for a great army, when her fleets ride triumphant in every sea? He felt considerable confidence in our navy, and shared in that pride which every Briton must feel at the brilliant victories our fleets had obtained over the enemy; but at the same time he must say, that by our naval superiority alone we should never be able to prevent France from extending her conquests over the continent of Europe. O! but say others, we have plenty of money; we can afford to subsidize nations, and hire foreigners to fight our battles. In answer to that he must observe, that all history shewed that such were not the means by which greatness and national honour were to be defended. This country had, at many periods, made great and astonishing exertions. When William III. was at the head of the confederacy of Europe, this country acquired considerable renown. Again, in the reign of Queen Anne, when the Duke of Marlborough commanded our armies, although the native British troops that he commanded were a small portion in number to their German allies, yet they ranked high in military reputation, and contributed powerfully to the common cause. In the seven years' war, a few British regiments, under the command of Prince Ferdinand, contributed essentially to the victory at Minden. It was this way the country acquired renown, "*Sic itur ad astra.*" It was by the valour of her troops, and not merely by the power of subsidizing foreigners, that, in the best times of her history, she had gained so high a character among the nations. These wars had been undertaken, in a great measure, to pre-

serve the balance of power, and however this idea might be ridiculed, our ancestors saw, what we have felt, that this balance of power could not be destroyed without the most serious evils resulting to Europe, and without our being exposed to the domineering influence of France. The situation in which the country was placed was this: it must either trust entirely to its navy, its commerce, and its ships, and patiently submit to see the power of France extending over every nation in Europe; or else, it must think, at some future period, of being able to afford some relief to nations that are oppressed, and of preserving its connection with the continent of Europe. If this was the determination of the House, it was evident, that the only means of accomplishing these things was, to improve our armies; but if the country should prefer what he considered the ignominious alternative (which he, for his part, would never consent to) of separating herelf from the interests of other nations, and endeavouring to preserve an insulated greatness, he conceived that such a conduct would be still more dangerous, than it would be to follow a more generous policy, and one more befitting the character of the British nation. He should also have an objection to the alternative, even upon constitutional grounds. It was known, that the character of the house of Brunswick was to resist every attempt that might be made against the constitution of this country, and especially any attacks which might be made by France, or with French assistance. The character, however, of any other family which had reigned in this country had been very different. If, then, it could ever be supposed, at some remote period, that any sovereign of this country could act on the principles that some sovereigns had acted on, when there was a compromise between England and France, that one was to rule by sea, and the other by land, the assistance of France might be requested against the liberties of the subjects of this realm. Although he did not state this as a case very probable, yet he thought the bare possibility of it made it an object worth consideration.

As to the navy, he had such a high opinion both of the skill of its officers, and of the great reputation it had gained (a reputation which would do more than any thing else to preserve its superiority), that he felt confident that France and Spain could never equal it. He therefore differed much from some of his honourable friends on the subject of invasion. He by no means dreaded invasion. He thought we had, in the first place, a powerful security in the superiority of our navy; and, in the second place, in the spirit of the British nation, which, he was convinced, was abundantly sufficient to triumph, ultimately, over any army that could invade this

country. When he was asked, then, why do you want a greater army? have we not soldiers enough to defend the country? he should answer, "we have enough, and more than enough." So far from thinking the number too few to defend the country, he would state most distinctly, that if he saw any prospect of recovering for Europe what had been lost in the late unfortunate campaign, he should have no objection to risk a part of the army we possess in the attempt. He thought, that we should think of acting offensively in the war, as far as our powers extended. Although the disposable force of this country bore but a small proportion to the French armies, yet, it did not follow that we should not be able, at some future period, to give a powerful and effectual assistance to some of those nations which France, in her ambition for extending her power, may hereafter choose to attack. He was always an eager and ardent friend of peace, and he was still a friend of peace. He, indeed, wished for such a peace as could be made on tolerable terms; but then the character of the peace he wished for was, that it should preserve our connections with the continent of Europe, and not give up any thing which the point of honour forbad us to give up. If such a peace were made, he hoped the nation would not uselessly retain the passions of war in a time of peace. As to what regarded the point of honour, he considered it still, as he had often stated it, as a matter of the highest importance among nations, and one of the few legitimate grounds of war. In the consideration of the force that the country required at the present time, it would not be sufficient to talk of what it was in the time of King William and Queen Anne, and say, that it is now double or treble what it was at that time. The question was, what was sufficient for the circumstances in which the country was now placed, and for the objects it had in view? If its objects were, as he conceived they ought to be, to be able to render, at some future day, important services to the continental nations, it was evident that our army ought to be increased; and he knew no better means of doing it, than by adopting the system which was proposed by his right honourable friend. The military measures which had been proposed in the course of the war, were merely temporary measures. When a great alarm of invasion had been spread, it was natural to call upon all hands to repel it. The object, at the present day, was not so much to repel invasion, as to recover for the country that military rank and influence which it had, till very recently, preserved in Europe. He was more sanguine in the immediate advantages of this measure, than was his right honourable friend, who introduced it, although, perhaps, not quite so sanguine

as the honourable colonel (Craufurd). He did conceive, that the great obstacle to the recruiting service, at present, was, the prejudices of parents, who conceived that their children were utterly lost and ruined, if they entered into the army, whether in the cavalry or infantry. If this measure could remove this prejudice from the minds of fathers or mothers, it would remove the greatest obstacle that now stood in the way of the recruiting service. It would not only get a better description of recruits, but would make the recruiting service operate on a much more extensive description, by taking in the inhabitants of the country, as well as the population of the manufacturing towns.

He was sorry the navy had been at all mentioned; but, with respect to the allusion which had been made by an honourable gentleman to a late regulation, upon a principle similar to that now proposed, namely, inlisting them, instead of for life, only for a term of years, or during the war, he was surprised that the honourable gentleman was not acquainted who were the authors of that arrangement: he would, however, inform the honourable gentleman, that it was made by his own friends, the late administration, as the last act of their official authority, and it certainly was the best of their whole administration; and, so far as it went, it was an irrefragable proof of the efficacy of the principle, as well in procuring a numerous and rapid supply of recruits for the marine service, unparalleled upon any former occasion, as in obtaining them from a better order of men. In answer to the argument against extending the same principle to the army in general, he could only say, the principle, so far as it had been tried in the case just alluded to, and according to the most general opinions of persons whom he considered the first military authorities, not only in the present day, but some years back, he conceived, was a good and an eligible one; and having heard no other plan as yet proposed, at all likely to produce similar effects, he should adhere to and support this.

Much clamour had been raised against this principle, as new and untried; and the alarm was loudly sounded, to warn his majesty's ministers against its adoption, lest they should render themselves unpopular to the whole country; but, highly sensible as he was of the excessive solicitude of those who used such arguments for the popularity of those ministers, he must beg leave to say, that however unwilling they were to oppose their own opinions to those expressed by the majority or any great portion of the people of England, still they felt it their bounden duty, at a crisis so urgent as the present, not to temporise upon a measure of such vital importance to the se-

curity of the country, under any apprehension of risking a temporary unpopularity; for, if they were to suffer their conduct, in concerns of such importance, to be swayed by such considerations, they might do that which would be popular with one party to-day, and unpopular with another to-morrow, and, in the mean time, sacrifice to popular caprice or selfish considerations, the real interests and security of the empire, instead of doing that which was their indispensable duty, independent of all minor considerations; namely, adhering firmly to those measures which appeared best in their conviction, regardless of any risk to which their popularity might be exposed: nor did any man, in his mind, deserve the name of statesman, who would not, under such circumstances, firmly adhere to this principle. On the contrary, that minister who would abandon it under such circumstances, would swerve from his duty, and act the part of a fool and a coward. In times like these, they ought not to temporise. If they were to be content to go on from day to day, from expedient to expedient, trusting to chance, and consulting every fluctuation of popular opinion, their task would be easy. The course was before them, like virtue and pleasure in the Grecian writer: the path to which the one led, arduous and difficult; the other, smooth and easy. But, if they wished to be really useful to their country, they must often risk both their power and their popularity: holding a firm and systematic attention to the public good, they might sometimes find it necessary to act against the momentary influence of both; but, if they hesitated to do so, they would be political cowards. They would violate their duty, both as servants of the crown, and as members of parliament, if they were deterred, by such considerations, from giving their opinions, and pursuing what they thought right.

On the motion for bringing up the clause, the committee divided: Yeas 254: Noes 125.

Abolition of the Slave Trade.

June 10.

IN pursuance of the notice he had given,

Mr. Secretary Fox rose and spoke as follows:

Before, Sir, I proceed to state the grounds on which I look with confidence for the almost unanimous countenance of

the House in this measure, I feel myself called upon to say a few words by way of apology, for being the person to come forward upon the present occasion. For the last sixteen or seventeen years of my life, I have been in the habit of uniformly and strenuously supporting the several motions made by an honourable gentleman, (Mr. Wilberforce,) who has so often, by his meritorious exertions on this subject, attracted the applause of this House, and obtained the admiration of the public. During the long period that I found it in such excellent hands, it was impossible for me to feel the slightest disposition to take it out of them. I am still of the same opinion; and cannot but think it would have been much better, if the same honourable member and his friends had retained it in their own hands, and they might certainly have depended upon me, and those with whom I have the honour to act, for the same ardent support which we have uniformly given them. But, Sir, the honourable member and many of his friends, seemed so strongly to entertain different sentiments in that respect, from me, that I submitted my own opinion to theirs, and now assume the task, reluctantly, on that account, but on every other, most gladly. So fully am I impressed with the vast importance and necessity of attaining what will be the object of my motion this night, that *if, during the almost forty years that I have had the honour of a seat in parliament, I had been so fortunate as to accomplish that, and that only, I should think I had done enough, and could retire from public life with comfort, and the conscious satisfaction, that I had done my duty.*

Having made these preliminary observations, I now come to the main question, but do not think it necessary to stop at present, for the sake of referring in detail to all the entries on your journals, made at different periods since the year 1792, the different motions made by the honourable gentleman, the resolutions of the House, and the bills brought in to abolish the trade, particularly that which received the sanction of this House, though it was unfortunately negatived in another place. I have not lately had time, from other occupations, to prepare myself by referring minutely to dates and details; and must, therefore, content myself with a general reference, in which, should I fall into any mistake, I am sure there are gentlemen who will be certain to set me right. In the execution of this duty, I am happy to reflect, that whatever difference of opinion might have prevailed upon some points of this subject, between a few members, and, at one time, unhappily, so as to defeat the measure, the opinion of this House upon the subject was, I will not say unanimous, for in that I may be contradicted, but as nearly unanimous

as any thing of the kind could be, "that the slave trade is contrary to the principles of justice, humanity, and sound policy." These, I believe, were the words of the resolution, adopted after long and serious deliberation; and they are those which I mean to introduce into the resolution which I shall propose this night. Surely, Sir, it does not remain yet to be argued, that to carry men by violence away to slavery, in distant countries, to use the expression of an illustrious man, now no more, (Mr. Burke,) a man distinguished in every way, and in nothing more than for his great humanity, "is not a traffic in the labour of man, but in the man himself." I will not now enter, for it would be unnecessary, into that exploded argument, that we did not make the negroes slaves, but found them already in that state, and condemned to it for crimes. The nature of the crimes themselves (witchcraft in general) is a manifest pretext, and a mockery of all human reason. But, supposing them even to be real crimes, and such as men should be condemned for, can there be any thing more degrading to sense, or disgusting to humanity, than to think it honourable or justifiable in Great Britain, annually to send out ships in order to assist in the purposes of African police? It has, I am told, been asserted by an authority in the other house of parliament, that the trade is in itself so good a one, that if it was not found already subsisting, it would be right to create it. I certainly will not compare the authority just alluded to with that of my honourable friend, (Mr. Wilberforce,) who, in the efforts he has made in order to abolish this dishonourable traffic, has done himself so much honour. I will not compare that authority with the authority of a right honourable gentleman now no more, (Mr. Pitt,) whose talents have always so justly been entitled to admiration, and whose eloquence was never more powerfully displayed on any occasion than in opposition to this scandalous traffic. I will not compare it with that of a noble viscount, (Sidmouth,) one of your predecessors, but not your immediate one, in that chair, than whom, though he opposed the manner in which we wished to obtain an abolition, yet as to the principle, no man ever enforced more strongly, or with more feeling, his utter detestation of it. Another noble lord also, (Lord Melville,) who took a lead in constantly opposing our attempts at a total and immediate abolition, yet, in regard to the principle, when he prevailed in his measure of gradual abolition, recorded his opinion on the journals, by moving, that the House considered the slave trade to be adverse to policy, humanity, and justice.

I do not, therefore, suppose, that there can be above one, or perhaps two members in this House, who can object to a condemnation of the nature of the trade, and shall now proceed to recall the attention of the House to what has been its uniform, consistent, and unchangeable opinion for the last eighteen years, during which we should blush to have it stated, that not one step has yet been taken towards the abolition of the trade. If, then, we have never ceased to express our reprobation, surely the House must think itself bound by its character, and the consistency of its proceedings, to condemn it now. The first time this measure was proposed, on the motion of my honourable friend, which was in the year 1791, it was, after a long and warm discussion, rejected. In the following year, 1792, after the question had been, during the interval, better considered, there appeared to be a very strong disposition, generally, to adopt it to the full; but in the committee, the question for a gradual abolition was carried. On that occasion, when the most strenuous efforts were made to specify the time when the total abolition should take place, there were several divisions in the House about the number of years, and Lord Melville, who was the leader and proposer of the gradual abolition, could not venture to push the period longer than eight years, or the year 1800, when it was to be totally abolished. Yet we are now in the year 1806, and while surrounding nations are reproaching us with neglect, not a single step has been taken towards this just, humane, and politic measure! When the question for a gradual abolition was carried, there was no one could suppose that the trade would last so long: and in the mean time we have suffered other nations to take the lead of us. Denmark, much to its honour, has abolished the trade; or, if it could not abolish it altogether, has at least done all it could, for it has prohibited its being carried on in Danish ships, or by Danish sailors. I own, that when I began to consider the subject, early in the present session, my opinion was, that the total abolition might be carried this year; but subsequent business intervened, occasioned by the discussions of the military plan; besides which, there was an abolition going forward in the foreign trade, from our colonies, and it was thought right to carry that measure through, before we proceeded to the other. That bill has passed into a law, and so far we have already succeeded; but it is too late to carry the measure of abolition through the other House. In this House, from a regard to the consistency of its own proceedings, we can indeed expect no great resistance; but the impediments that may be opposed to it in another, would not leave sufficient time to

accomplish it. No alternative is therefore now left, but to let it pass over for the present session; and it is to afford no ground for a suspicion that we have abandoned it altogether, that we have recourse to the measure that I am now about to propose. The motion will not mention any limitation, either as to the time or manner of abolishing the trade. There have been some hints indeed thrown out in some quarters, that it would be a better measure to adopt something that must inevitably lead to an abolition; but after eighteen years of close attention which I have paid to the subject, I cannot think any thing so effectual as a direct law for that purpose.

The next point is, as to the time when the abolition shall take place; for the same reasons or objections which led to the gradual measure of 1792, may here occur again. That also I leave open; but I have no hesitation to state, that with respect to that, my opinion is the same as it is with regard to the manner, and that I think it ought to be abolished immediately. As the motion, therefore, which I have to make, will leave to the House the time and manner of abolition, I cannot but confidently express my hope and confident expectation, that it will be unanimously carried; and I implore gentlemen not to listen to that sort of flattery which they have sometimes heard — and particularly from one of the members for Liverpool — that they have abolished it already. When the regulations were adopted, touching the space to be allowed for each negro in a slave ship, the same gentleman opposed it as being destructive, and exclaimed, "Oh! if you do that, you may as well abolish it at once, for it cannot be done." Yet, when we propose an abolition altogether, they use, as arguments against us, the great good already done, by regulating the slave ships, and bettering the condition of negroes in the colonies. In the same way, when we first proposed the abolition of the foreign trade, they told us it would have the effect of a general and total abolition; and I beg of them not to forget that declaration now; and having made it once, I must use to them a phrase in common life, "Sir, if that be the case, I must pray you to put your hand to it." As to the stale argument of the ruin the measure would bring upon the West India islands, I would refer gentlemen to perhaps the most brilliant and convincing speech that ever was, I believe, delivered in this or any other place, by a consummate master of eloquence, (Mr. Burke,) and of which, I believe, there remains in some publications a report that will convey an inadequate idea of the substance, though it would be impossible to represent the manner; the voice, the gesture, the

manner, were not to be described.—"O! si illum vidisse, si illum audivisse!" If all the members of this House could but have seen and heard the great orator in the delivery of that speech, on that day, there would not now be one who could for a moment longer suppose that the abolition of the slave trade could injuriously affect the interests of the West India colonies. I am aware that a calculation was once made, and pretty generally circulated, by which it would appear, that were the importation of negroes into the islands put an end to, the stock of slaves could not be kept up; and, if I recollect right, the calculation was made with reference to the island of Jamaica. Fortunately, however, for our argument, the experiment has been already tried in North America, where the trade has been abolished; and the effect of it shews, that the population of the negroes is nearly equal to that of the whites. As that is the part of the world where population proceeds more rapidly than in any other, and as we know that within the last twenty years, the population of whites has doubled, and that of negroes very nearly so, without importation, it affords, I will not say a damning, but a blessed proof, that the adoption of a similar course would ultimately produce gradual emancipation and an increasing population, and that it would enable the negroes to acquire property as the reward of long servitude; and that thereby these islands would be placed in a state of safety beyond any thing that could be effected by fleets or armies.

Nothing now remains for me, Sir, but to address a few words to those members opposite me, who are so fond of quoting the opinions of a right honourable gentleman deceased, (Mr. Pitt,) and who profess to entertain so profound a respect for his memory. They all know that there was no subject on which that right honourable gentleman displayed his extraordinary eloquence with more ardour than in support of the abolition of the slave trade. His speeches on that subject will not easily be forgotten; and, therefore, in supporting the present motion, they will not only have an opportunity of manifesting their private friendship for him, their admiration of his splendid talents, and the sincerity of their zeal and respect for his character and memory; but also the opportunity of quoting him with great advantage: added to which, they may now display all this for the public good, and on a subject upon which they cannot be suspected of making that respect and admiration only a vehicle for party purposes. Mr. Fox then moved the following resolution: "That this House, conceiving the African slave trade to be contrary to the principles of justice, humanity, and sound

policy, will, with all practicable expedition, proceed to take effectual measures for abolishing the said trade, in such manner, and at such period, as may be deemed advisable.]"

The motion was opposed by General Tarleton, Mr. Gascoyne, Lord Castlereagh, Sir William Young, Mr. Rose, and Mr. Manning; and supported by Sir Ralph Milbanke, Mr. Francis, Sir Samuel Romilly, the Solicitor-General, Mr. Wilberforce, Lord Henry Petty, Mr. Barham, Sir John Newport, Mr. Canning, Mr. William Smith, and Mr. Windham.

The House divided on Mr. Fox's motion: *

	Tellers.			Tellers.	
YEAS	Sir S. Romilly, Mr. W. Smith	114.	NOES	Sir Wm. Young, Gen. Tarleton	15.

* This was the last motion made by Mr. Fox in the House of Commons. About the middle of June, he became so seriously indisposed, that he was forced to discontinue his attendance in parliament. Symptoms of both general and local dropsy declared themselves, and so rapid was the progress of his complaint, that after the middle of July, though informed of every step taken by his colleagues in the negociations with France, he could seldom be consulted by them on that or any other public measures till they had been carried into effect. It was at length thought necessary by his physicians to have recourse to the usual operation for his relief, which was accordingly performed for the first time on the 7th of August, and repeated on the 31st. After both operations, he fell into a state of languor and depression, but his medical attendants never absolutely despaired of his case till Monday, the 7th of September, when he sunk into an alarming state of lowness, in which he languished till the evening of Saturday, the 13th, when he expired in the arms of his nephew, Lord Holland, in the fifty-ninth year of his age.

THE END.

Strahan and Preston,
Printers-Street, London.

00027050

Digitized with financial assistance from the
Government of Maharashtra
on 04 January, 2016